



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, बुधवार, 18 फरवरी, 2009 / 29 माघ, 1930

हिमाचल प्रदेश सरकार

INDUSTRIES DEPARTMENT

NOTIFICATION

Shimla, the 7th February, 2009

No. Ind. A(F)6-3/2008.—In partial modification of this Department notifications No. Ind. A(F)6-7/2004 dated 30th December, 2004 notifying Industrial Policy 2004, Rules Regarding Grant of Incentives, Concessions and Facilities to Industrial Units in Himachal Pradesh, 2004 and Himachal Pradesh Industrial Renewal and Revival Scheme, 2004 and subsequent amendments in the Rules Regarding Grant of Incentives, Concessions and Facilities to Industrial Units in Himachal Pradesh, 2004 notified vide Notification No. Ind. A(F)6-7/2004 dated 24th June, 2005, No. Ind-(F)6-7/2004-II dated 31st March 2008 and No. Ind. A(F)8-2/2008 dated 19th September, 2008 the Governor, Himachal Pradesh is pleased to substitute the Rule 2, 3, 6, 7, 8, 11,12, 13, 14, 15, 18, 21,22 and Annexure-I & II of the Rules Regarding Grant of Incentives, Concessions and Facilities to Industrial Units in Himachal Pradesh, 2004 as appended herewith.

By order,
Sd/-
Pr. Secretary.

2. OBJECTIVES :

The objectives of the incentives, concessions and facilities being provided under these Rules are:—

- (i) To achieve the aims and objectives announced by the Government in the Industrial Policy Guidelines from time to time.
- (ii) To spell out the extent to which the State Government proposes to provide benefits, incentives, concessions and facilities to industrial enterprises to be set up in the State, on or after the appointed day.
- (iii) To supplement and support the Special Package of Incentives and Concessions announced by the Government of India on 7th of January, 2003 for industrial enterprises to be set up in Himachal Pradesh.
- (iv) To encourage investment and optimum utilisation of the resources of the State namely power, land, capital, manpower and raw material in terms of revenue generation and generation of employment opportunities for local populace within the physical and environmental carrying capacities of the State.
- (v) To facilitate the ease of doing business by simplifying the Rules and to promote transparency of procedures governing the establishment of Industrial Enterprises in the State.
- (vi) To encourage the maximum gainful employment of bonafide Himachalis in the Industrial Enterprises set up in the State.

3. DEFINITIONS :

Under these Rules, unless the context otherwise requires:—

- (a) An “allottee” means an Industrial Enterprise in whose favour an allotment of a land/ plot/ industrial shed/ shop etc. has been made under these Rules.
- (b) ‘Bonafide Himachali’ means a resident of the State of Himachal Pradesh as defined by the Government from time to time.
- (c) “Commencement of commercial production” means the date on which the Industrial Enterprise actually commences commercial production as certified by the Director /Deputy Director of Industries/ General Manager, District Industries Centre/ Member Secretary, Single Window Clearance Agency or any other officer authorized by the Director to do so.
- (d) “Department” means Department of Industries, Government of Himachal Pradesh.
- (e) “Director” means Director of Industries, Government of Himachal Pradesh and will also include Commissioner of Industries, Government of Himachal Pradesh, as the case may be.
- (f) “Electricity Duty” means the electricity duty levied by the Government from time to time, on the consumption of power by Industrial Enterprises set up in the State.

- (g) "Existing Industrial Enterprise" means an Industrial Enterprise, which have been set up in the State and is duly registered or acknowledged by the Department as Tiny, Micro, Small Scale, Medium or Large Scale Industrial units or Industrial enterprises in accordance with the procedure prescribed, and has commenced commercial production before the appointed day.
- (h) "Export Oriented Unit" or 'Export Oriented Enterprise'(EOU) means an Industrial Enterprise set up for the purpose of exporting its produce as defined in the Import/ Export policy of the Government of India, from time to time, and duly approved /registered/ acknowledged as such by the competent authority.
- (i) "100% EOU" means Enterprise (s) defined as such by the Government of India from time to time.
- (j) "Feasibility Report" means a report on the economic and technical feasibility of an industrial project prepared by an approved Consultant or an Agency approved/recognised by the Director.
- (k) "Financial Institution" means all scheduled commercial banks, Himachal Pradesh Financial Corporation (HPFC); Himachal Pradesh State Industrial Development Corporation (HPSIDC), I.C.I.C.I, I.D.B.I, S.I.D.B.I, NABARD, Co-operative Bank(s) in the State of H.P, State KVIB, KVIC or any other institution declared to be a "financial institution" by the Government of India under the relevant statute. It will also include corporation(s)/institution(s) set up by the State /Central Government specifically to assist and extend loan assistance to specific categories of entrepreneurs such as women, SCs/STs, ex-servicemen, physically handicapped, backward classes etc.
- (l) "Fixed Capital Investment," (FCI) means the actual investment made in land, building, plant and machinery by an Industrial Enterprise.
- (m) "Government" means the Government of Himachal Pradesh.
- (n) "Industrial Area" means an area developed/earmarked by the Government or any of its Agencies like Himachal Pradesh State Industrial Development Corporation Ltd. (HPSIDC), Himachal Pradesh Housing & Urban Development Agency (HIMUDA), Himachal Pradesh State Electronics Development Corporation Ltd. (HPSEDC) etc. itself or in participation with private entrepreneur(s) for the establishment of Industrial Enterprises.
- (o) "Industrial Estate " means an area comprising sheds constructed by the Government or any of its agencies like HPSIDC, HIMUDA, HPSEDC etc. itself or in participation with private entrepreneur(s) for the establishment of Industrial enterprises.
- (p) "Industrial Enterprise" will include Micro, Small, and Medium Enterprise as defined under Section 7(1) (a) or Section 7 (1)(b) of the 'Micro, Small and Medium Enterprises Development Act, 2006' [MSME Act 2006 No. 27 of 2006] or any such "Specified Category of Activities" so declared by the Government under these Rules or "Small Scale Service Business Establishment (SSSBE)", "Tiny", "Small", "Ancillary", "Medium and Large units" which are located within the State and have been registered/ taken on record by the Department.

- (q) "Large Industrial Enterprise" shall mean those enterprises engaged in the manufacture or production of goods pertaining to any industry specified in the First Schedule to the Industries (Development and Regulation) Act, 1951 set up in the State in which the investment in plant and machinery exceeds Rs 10 Crores or exceeds such investment level as may be prescribed under Section 7 (1) (a) (iii) of the 'Micro, Small and Medium Enterprises Development Act, 2006' (No. 27 of 2006) [MSME Act 2006 No. 27 of 2006] by the Government of India, from time to time.
- (r) "Negative List" includes the Industrial Enterprises mentioned in Annexure III of these Rules.
- (s) "New Industrial Enterprise" means Industrial Enterprise registered/ acknowledged/ taken on record by the Department, located within the State of Himachal Pradesh which commences commercial production on or after the appointed day.
- (t) "Person(s) with Disabilities" means person(s) determined as such under clause 2 (t) of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.
- (u) "Power Tariff" means, only the basic rate of electricity per unit charged for the consumption of power, as specified from time to time under the relevant schedule of tariff by H.P. State Electricity Board (HPSEB) and shall not include electricity duty, surcharge, peak load exemption charge, winter charge, fuel adjustment charge, service charge or any other charge under any name in the Tariff Schedule as may be levied by the competent authority, under its Schedule of Tariffs.
- (v) "Rural Area" means an area as defined in clause 46 of Section 2 of the H.P. Panchayati Raj Act, 1994.
- (w) "State" means the State of Himachal Pradesh.
- (x) "State Level Single Window Clearance and Monitoring Authority" means the Authority as constituted vide notification No. Ind. A (F) 2-1/2000 dated 22-01-04 of the State Industries Department, as amended from time to time.
- (y) "Specified Category of Activities" means the activities as specified in Annexure-IV of these Rules.
- (z) "Special Category of Entrepreneurs" means entrepreneurs belonging to the Scheduled Caste, Schedule Tribe, Women, Ex-serviceman, Physically Handicapped person (with the level of disability as notified by the Government from time to time), Below Poverty Line category who set up Industrial Enterprise(s) themselves.
- (aa) 'Substantial Expansion' means the industrial enterprises existing before 7.1.2003, but which have undertaken substantial expansion by way of increase in installed capacity of the existing enterprises by not less than 25% of the capacity, which should be the result of installation of additional plant and machinery and which comes into commercial production from such expanded capacity not later than 31-3-2007 with further fulfillment of following condition:

It will be obligatory for the Industrial enterprises undergoing substantial expansion to employ at least 70% bonafide Himachalis on regular/contractual/sub-contractual/ daily basis or any other mode of employment against the additional manpower which may be generated as a result of substantial expansion.

- (bb) "Tax Free Zone" means all Tribal areas notified by the competent authority of the State Government and include all Tribal Development Blocks and Development Blocks mentioned under this category in these Rules. It will also include all Backward Panchayats categorized as C category areas under these Rules which may be located in Blocks categorized under the 'A' and 'B' Category Area of these Rules.
- (cc) "Thrust Enterprises" means the Industrial Enterprises as specified in Annexure-II of these Rules.
- (dd) "Tribal areas" means the Tribal area as notified by the Government from time to time.
- (ee) "Village Enterprise" means any micro enterprise, located in "rural area" which produces any goods or renders any service with or without the use of power and in which the fixed capital investment per head of a full time artisan or worker i.e. capital expenditure on workshop/ work shed, machinery and furniture divided by full time employment created by the enterprise does not exceed Rs. 1, 50,000/-.

6. ALLOTMENT AND TRANSFER OF LAND IN INDUSTRIAL AREAS :

6.1 Need based land in Industrial Areas /Estates and in other areas wherever available with the Department for the establishment of Industrial Enterprise(s), Public Utilities, Social Infrastructure and such other purposes as are deemed fit by the Govt. will be allotted on leasehold basis for a period of 95 years.

6.2 The premium for the allotment of land in Industrial Areas/Estates and Government Land in other areas for setting up of Industrial Enterprise(s) will be fixed on a year-to-year basis and made effective from 1st of April every year. The rate of premium will be fixed by the Committee consisting of the Secretary (Industries) to the Government, Director and the Managing Director, HPSIDC Ltd.

6.3 The Government Land available with the Department may also be allotted, for the development & setting up of public utilities such as shops, commercial complexes, recreational facilities, etc. on lease hold basis by inviting bids from the public, over and above the reserve price, to be fixed by the Committee as constituted under Rule 6.2.

6.4 The Government Land available with the Department may be allotted for the development of social infrastructure like banks, post offices, educational institutions, medical institutions, captive housing facilities etc. on lease hold basis at the premium to be fixed by the Committee as constituted under Rule 6.2.

6.5 Developed/undeveloped Land for setting up of Industries and other activities as mentioned in Rule 6.1, 6.3 & 6.4 above subject to a maximum area of 10,000 sq. meters in industrial areas or wherever available with the Department shall be allotted on lease hold basis by the Director or any other officer authorized by him. Developed/ undeveloped Land exceeding

10,000 sq. meters in industrial areas/estates or wherever available with the Deptt. of Industries shall be allotted on lease hold basis with the prior approval of the Secretary (Industries) to the Government.

6.6 The application for allotment of plot(s)/ land shall be made to the concerned Deputy Director of Industries(DDI)/ General Manager, District Industries Centre(GM,DIC)/ Member Secretary, Single Window Clearance Agency (MS,SWCA), as the case may be, on a prescribed form alongwith other requisite documents and earnest money in the shape of a bank draft. The earnest money shall be equivalent to 10% of the premium of land, prevalent at the time of making the application, which shall be adjusted initially in the premium in the event of allotment of land/plot or refunded in the event of nonallotment of plot. Applications received without earnest money payable and incomplete documents will not be considered.

6.7 (a) Plot(s)/ land shall be allotted by the Director or any other officer authorized by him on the recommendation of a Committee constituted for the purpose on first come first serve basis, unless the Committee decides otherwise for reasons to be recorded in writing. However, plot/land may be allotted on out of turn basis to eligible categories for which such a provision has been specifically made under these Rules.

(b) In case any land/ plot is available for allotment consequent upon its having been resumed after execution of lease deed or has been surrendered by the allottee himself, it shall only be re-allotted through open auction/inviting bids from general public. In such cases the minimum reserve price will be fixed by the Committee as constituted under Rule 6.2.

(c) The land/ plot will be provisionally allotted for a period of two years and possession will be handed over to the allottee after entering into an agreement to lease. The allottee shall commence commercial production within 2 years from the date of handing over of the possession. The Director may, however extend the period of the provisional allotment for one year at a time on the merits of each case, subject to the total period (including the original period of 2 years) not exceeding 5 years from the date of handing over of possession. Such cases for grant of each extension will only be considered if the premium due to the Department till the time of making the application for extension of time period has been fully paid and there is no default in the payments due to the Department. Extension fee equivalent to 10%, 20% and 30% of the total premium assessed at the time of provisional allotment of the plot will be charged for extension sought for the 1st, 2nd and 3rd year respectively, which will not be refundable/adjustable in the premium of the plot.

(d) A regular lease deed can be entered into between the Department and the allottee after the fulfillment of the following conditions by the allottee:—

- (i) Proof of obtaining all necessary approvals/registration of the different Departments/ Agencies of State Government and Central Government as applicable to the enterprise.
- (ii) Proof of obtaining the sanction of the loan for the approved enterprise from the financial institution(s), if any.
- (iii) In case the Industrial Enterprise is self-financed, proof of placement of firm orders of at least 50% of the estimated cost of plant and machinery and incurred at least 50% expenditure on building as per the project report.

(e) A regular lease deed would be entered into between the Department through the DDI; GM,DIC's; MS,SWCA's, as the case may be and the allottee at the rates prevalent at the time of provisional allotment of the plot/ land.

(f) 30% of the premium of land (the earnest money deposited at the time of application will be adjusted against the amount so payable) shall be payable at the time of entering into an agreement to lease and balance in 5 equal annual instalments. No interest will be charged on the balance instalments. However interest will be charged on delayed payment @12% P.A. or as may be fixed by the Government from time to time. However, 10% rebate on total premium of land will be given in case the allottee makes the entire payment of premium in lump sum at the time of execution of agreement to lease/ lease deed as against 5 annual instalments of 70% balance premium of land/plot.

(g) The lessee may mortgage/hypothecate the lease hold rights to the concerned financial institution with the prior permission of the Director or any officer authorized by him.

6.8 In case an allottee fails to execute regular lease deed or violate any term and condition of lease deed and not bring the enterprise in commercial production within the stipulated period including period of extension if any, the allotment shall be cancelled by the DDI; GM,DIC's; MS,SWCA's, as the case may be, and the possession of the plot shall be resumed. The earnest money along with premium and extension fee paid by the allottee shall be forfeited.

6.9 (a) In case an allottee who has been offered allotment of land/plot of the size less than applied for or in excess of land/plot applied for and therefore refuses to take the possession of such provisionally allotted land/plot, such an offer for allotment of the land/plot will be deemed withdrawn and the entire earnest money deposited by the allottee will be refunded without interest.

(b) In case an allottee fails/refuses to take the possession of allotted land/plot on any ground other than that mentioned in Sub-Rule (a) above and does not enter into agreement to lease within the stipulated period the provisional allotment shall be cancelled and the amount of Rs.10,000/- will be deducted from the earnest money as processing fee and the balance earnest money deposited by the allottee will be refunded without interest.

6.10 In case, an allottee surrenders the possession of the land/plot provisionally allotted to him within a period of two years from the date of allotment the provisional allotment would be deemed cancelled and 10% of the premium paid or Rs. 10000/-, whichever is higher will be deducted and the balance amount of premium deposited by the allottee would be refunded.

6.11 In case, an allottee is refused extension of time for setting up of the enterprise as provided under Rule 6.7(c) or otherwise violates any provision of these Rules or any condition of allotment or terms of registration /acknowledgement of Entrepreneur Memorandum-I (EM-I) & Entrepreneur Memorandum -II (EM-II), the allotment will be cancelled and the premium and extension fee, if any paid by the allottee will be forfeited. The possession shall be resumed by the Department after giving notice to the allottee to vacate the plot and surrender the possession free of all encumbrances peacefully within 2 months failing which the provisions of the H.P. Public Premises & Land (Eviction and Rent Recovery) Act, 1971 and other legal remedies will be invoked to resume the plot.

6.12 In the following situation(s) change in the ownership/ constitution of an allottee any time after provisional allotment shall be taken on record by charging a processing fee as under:—

- (a) 5% of the differential cost (i.e difference in the premium of plot as at the time of allotment and the prevalent allotment rate) or Rs. 10,000, whichever is higher in the event of:—

- (i) the original allottee proprietary firm is converting in to partnership firm provided the original allottee continues to hold the majority (minimum 51 %) share in the newly constituted/registered partnership firm.
 - (ii) the original allottee partnership firm is introducing new partner(s) or becoming a new partnership firm provided the original allottee partners of the firm continues to hold the majority (minimum 51 %) share amongst themselves in the newly constituted/registered firm.
 - (iii) the original allottee proprietary/partnership firm is becoming a Pvt. Ltd. Company provided the original allottee(s) proprietary /partners of firm continues to hold the majority (minimum 51 %) share/ paid up capital amongst themselves in the Company.
 - (iv) merger of Companies and in the event when the original allottee Pvt. Ltd. Company becomes a Public Ltd. Company or vice versa and if such change is allowed by the Registrar of Companies, provided that at least 51% shareholding in the new entity continue to remain with the original allottee(s) shareholders/ subscriber of the Company in whose name the plot has been allotted.
- (b) 2% of the differential cost (i.e difference in the premium of plot as at the time of allotment and the prevalent allotment rate) or Rs. 5,000 , whichever is higher will be charged in the event of:—
- (i) the original allottee proprietor/or partners of partnership firm/or a promoter of the Pvt./Public Ltd. Company transfers his share to any of his legally recognized Class-I heir(s) as recognized under Section 8 of Indian Succession Act 1956 or other by laws applicable to him.
 - (ii) a mere change in the manufacturing activity or name of the enterprise without any change in the constitution/ ownership and shareholding.

6.13 (a) In the following situation(s), transfer of the lease hold rights of the plot(s) or a portion thereof where the lease deed has been executed will be permitted by the Director subject to payment of balance premium due in addition to an unearned increase in premium (i.e. difference between the rates applicable at the time of transfer and allotment) as under:—

- (i) In the event an Industrial Enterprise has not been set up or has not commenced commercial production, 50% of the unearned increase in premium shall be realized, provided that a rebate of 10% will be allowed if the permission for such transfer is obtained from the Department on or before 30-09-2009 and the unearned increase in premium and balance premium due is deposited within 3 months of the date of such permission.
- (ii) In the event an Industrial Enterprise has been in commercial production for a minimum period of five years, the unearned increase in premium shall be realized at the rate of 20%, provided that a rebate of 5% will be allowed if the permission for such transfer is obtained from the Department on or before 30-09-2009 and the unearned increase in premium and balance premium due is deposited within 3 months of the date of such permission.
- (iii) In the event an Industrial Enterprise has been in commercial production for a period less than five years, the unearned increase in premium shall be realized at the rate of

30%, provided, the transferor Industrial Enterprise has either not availed of any incentive or has returned the incentives availed which were conditional upon running the Industrial Enterprise for a specified minimum period, provided further that a rebate of 5% will be allowed if the permission for such transfer is obtained from the Department on or before 30-09-2009 and the unearned increase in premium and balance premium due is deposited within 3 months of the date of such permission.

(b) In the event of the transfer of the plot to a new Industrial Enterprise/promoter on account of the Industrial Enterprise being taken over and sold under Section 29 of the State Financial Corporations (SFCs) Act, 1951 by Himachal Pradesh Finance Corporation Ltd. or Himachal Pradesh State Industrial Development Corporation Ltd. or under orders of Board of Industrial Finance and Reconstruction and the new promoter revives/continues with the same Industrial Enterprise as existed prior to take over by HPFC/HPSIDC or sets up a new Industrial Enterprise, instead of charging unearned premium only a processing fee as indicated in para 6.12 (a) above will be charged.

6.14 An allottee may be allowed to set up one or more separately identifiable Industrial Enterprise(s) on the land/plot allotted to him without charging any processing fee to manufacture new item(s) (other than those being manufactured in the existing Enterprise of the allottee) under the original name/ style and constitution, without any corresponding change in the lease deed. However, if the new Industrial enterprise is set up under a new name, style or constitution in which the allottee has majority share (minimum 51 %), processing fee as per the provisions of Rule 6.12(a) will be charged and the new enterprise will abide by all the terms and conditions of the lease deed executed with the original allottee and the original allottee will be liable to bear all the liabilities and consequences of actions of its new enterprise.

6.15 An allottee, after commencement of commercial production may be allowed by the Director or any other officer authorized by him to rent out not more than 49% of approved built up area of land/plot which is surplus to his own requirement, for setting up of Industrial Enterprise(s) after charging one time processing fee equivalent to 10% of unearned increase in premium (i.e. difference between the rates applicable at the time of allotment and according permission), subject to maximum of Rs. 50,000/-, Rs. 20,000/- and Rs. 10,000/- in 'A', 'B' and 'C' category Areas respectively in each case and in addition an allottee will also pay monthly rental @ Rs. 2.00 per Sq. Feet on built up rented area in 'A' category area and Municipal area and @ Rs. 1.00 per Sq. feet on built up rented area in 'B' and 'C' category area excluding Municipal Area. Such permission will be given only for setting up of not more than two Industrial Enterprise in the rented premises for manufacturing the new item(s) (other than those being manufactured in the existing Enterprise). The existing Industrial Enterprise of the allottee should be in production for at least one year and also have no objection certificate from the Financial Institution(s) having any charge on land/plot and assets of the Industrial Enterprise of the allottee. Permission to rent out premises shall be given initially for a period not exceeding 10 years at a time, which may be renewed by charging processing fee applicable at the time of renewal. Such permission will be deemed to have been withdrawn in case the original allottee or the hirer of the allottee closes down its Industrial Enterprise for a period lasting for more than 12 months continuously.

6.16 The revenue on account of processing fee, extension fee and unearned increase in premium realised by the Department under the provisions of these Rules, shall be deposited into the account of respective Industrial Area Development Agency (IADA), which will be corpus for maintenance and development of industrial areas/infrastructure and the same will be utilized as per by laws of the IADA.

7. ALLOTMENT OF INDUSTRIAL SHEDS AND SHOPS IN INDUSTRIAL AREAS/ESTATES:

7.1 For Industrial sheds allotted after the appointed day.—(a) Industrial Shed(s) built up by the Department shall be allotted by the Director or any officer authorized by him on leasehold basis for a period of 45 years by charging the premium as under:—

a	Actual cost of construction of shed.
b	Cost of land as determined by the Committee constituted under Rule 6.2 of these Rules.
Total Premium	a+ b

(b) The application for allotment of industrial shed(s) for industrial purposes shall be made to the concerned DDI/GM, DIC/ MS,SWCA, as the case may be, on the prescribed form alongwith other requisite documents and earnest money of Rs.10,000 in the shape of bank draft. 30% of the premium of shed (the earnest money deposited at the time of application will be adjusted against the amount so payable) shall be payable at the time of entering into an agreement to lease and balance in 5 equal annual instalments. No interest will be chargeable on the balance instalments. However the interest would be chargeable on delayed payments @12% P.A. or as fixed by the Government from time to time. However, 10% rebate on total premium of shed will be given in case the allottee makes the entire payment of premium in lump sum at the time of execution of agreement to lease/lease deed as against 5 annual instalments of 70% balance premium of shed.

(c) An allottee after execution of lease deed may be allowed to carry out major repairs, additions and alterations or construction of additional storey at his own cost for which prior approval of the Director shall be required, which will be given wherever feasible and otherwise allowed under the applicable planning regulations of the area. In case of additional construction, an additional premium equivalent to 25% of cost of entire leased area prevalent at the time of execution of initial agreement to lease will be charged and the supplementary lease deed for the balance period indicating the additional built up area will be entered into between the Department and the allottee. In case the allottee has constructed additional floor area or an additional storey after prior approval, he may be allowed by the Director to set up one separately identifiable Industrial Enterprise therein to manufacture new item(s) (other than those being manufactured in the existing Enterprise of the allottee). If this additional Industrial Enterprise is established under the original name/ style and constitution, without any corresponding change in the lease deed, no processing fee will be charged. However, if the additional Industrial enterprise is set up under a new name, style or constitution in which the allottee has majority share (minimum 51 %), one time processing fee of Rs. 10,000/- will be charged. The new enterprise will abide by all the terms and conditions of the lease deed executed with the original allottee and the original allottee will be liable to bear all the liabilities and consequences of actions of its new enterprise.

(d) Industrial shed shall be allotted by the Director or any other officer authorized by him on the recommendation of the Committee constituted for the purpose on first come first serve basis, unless the Committee decides otherwise for the reasons to be recorded in writing. However, the sheds may be allotted out of turn to the eligible categories for which such a provision has been specifically made under these Rules. In case the shed is available for allotment upon its resumption after cancellation of allotment or has been surrendered by the allottee himself, it shall be re-allotted only through open auction/inviting bids from general public. In such cases the minimum reserve price will be fixed as per the provisions of Rule 7.1.

(e) The industrial shed will be provisionally allotted for a period of one year and possession will be handed over to the allottee after entering into an agreement to lease. The allottee

shall commence commercial production within 1 year from the date of handing over of the possession. The Director may, however extend the period of the provisional allotment by one more year on the merits of each case, subject to the total period (including the original period of 1 year) not exceeding 2 years from the date of handing over of the possession. However, in exceptional circumstances where the allottee has taken effective steps for the setting up of the Industrial Enterprise in the Shed, Director may, if satisfied extend the period of the provisional allotment up to 3 years, from the date of handing over of the possession, on the merits of each case. Such an extension will only be given subject to realization of extension fee equivalent to 10% of the total premium assessed at the time of provisional allotment, which will not be refundable/adjustable in the premium of the Industrial Shed.

(f) A regular lease deed can be entered into between the Department and the allottee after the fulfillment of the following conditions by the allottee:—

- (iii) Proof of all necessary approvals/registration of the different Departments/ Agencies of State Government and Central Government as applicable to the Project.
- (iv) Proof of sanction of the loan for the approved project from the financial institution(s), if any.
- (v) In case the Industrial Enterprise is self-financed, proof of placement of firm orders of at least 50% of the estimated cost of plant and machinery as per the project report.

(g) The lessee may mortgage/ hypothecate the lease hold rights with the prior permission of the Director or any officer authorized by him.

(h) In case an allottee fails to bring the Industrial Enterprise in commercial production within the stipulated period including period of extension if any, the allotment shall be cancelled by the DDI/ GM,DIC/ MS,SWCA, as the case may be, and the possession of the shed shall be resumed. In such cases, 10% of the premium paid or Rs. 10,000/-, whichever is higher will be forfeited and the balance amount deposited by the allottee in lieu of the premium of shed would be refunded.

(i) Change in the ownership/constitution of the allottee after provisional allotment will be permitted as provided for under Rule 6.12.

- (j) (i) Transfer of the lease hold rights of shed will be permitted by charging unearned increase in premium (i.e. difference between cost of land on which industrial shed is constructed as on the date of execution of lease deed and transfer of lease deed) as provided for under Rule 6.13(a) (i to iii).
- (ii) In the event, a shed is transferred to a new Industrial Enterprise on account it being taken over and sold under Section 29 of the State Financial Corporations (SFCs) Act, 1951 by HPFC or HPSIDC or under orders of BIFR, processing fee equivalent to 5% of the differential cost (i.e. difference between cost of land on which industrial shed is constructed as on the date of execution of lease deed and transfer of lease deed) or Rs. 10,000 , whichever is higher will be charged. Such a shed will be transferred to the buyer on 45 years lease hold basis for the establishment of Industrial Enterprise(s) on the same terms and conditions as applicable under Rule 7.1 and the revised lease deed will be executed accordingly.

7.2 FOR INDUSTRIAL SHEDS ALLOTTED BEFORE APPOINTED DAY.

7.2.1 The allottees who were allotted industrial shed(s) upto appointed day i.e. 31-12-2004 on rental may exercise their option either to:—

- (a) continue to be in the occupation of sheds on rental basis subject to the condition that the Enterprise is in operation. In such cases, the revised rental agreement between the allottee and the Department will provide for increase in rental by 10% w.e.f. 1-1-2005. The rental would be revised @ 10% and a fresh rent deed signed after every three years, provided the entire outstanding rental due to Department by the allottee has been settled. In case of violation of any of the conditions of allotment or any other condition imposed by the Director from time to time, the allotment of shed will be cancelled and the dues outstanding, if any, will be recovered as arrears of Land Revenue by the Department. The possession shall be resumed by the Department after giving notice to the allottee to vacate the shed and surrender the possession of the shed free of all encumbrances peacefully within a period of 2 months failing which the provisions of the H.P. Public Premises & Land (Eviction and Rent Recovery) Act, 1971 will be invoked to resume the possession of the industrial shed.

or

- (b) convert their existing rental agreements to lease hold basis for a further period of 45 years from the date of agreement to lease. In such cases, a regular lease deed will be signed after realizing the full premium of the shed to be calculated as follows:—

a	Cost of shed	Actual cost of construction + 10% simple rate of interest per annum upto the date of execution of Agreement to lease.
b	Cost of land	Cost of land as determined by the Committee constituted under Rule 6.2.
c	Rent paid	(i) Rent paid upto the date of execution of lease deed would be deducted from the premium of shed (ii) however unpaid interest/penal interest would be added in the premium of the shed.
d	Premium of shed.	$a + b + c(ii) - c(i)$

Provided that the sheds which were allotted on rent basis and subsequently proposal was evolved prior to 31-12-1998 for allotment of such sheds on hire purchase basis, such sheds may be allotted on lease basis as per option of the allottee. In such cases, determination of the premium of the shed will be done as follows:—

a	Cost of shed	Actual cost of construction + 10% simple rate of interest per annum upto the date of execution of Agreement to lease.
b	Cost of land	Cost of land as on 31-03-1998 + 10% interest upto the date of execution of Lease Agreement.
c	Rent paid	(i) Rent paid upto the date of execution of lease deed would be deducted from the premium of shed (ii) however unpaid interest/penal interest would be added in the premium of the shed.
d	Premium of shed.	$a + b + c(ii) - c(i)$

The regular lease deed will be executed only after receipt of 100% of the premium of shed. 50% of the premium will be realised at the time of agreement to lease and the balance 50% will be recovered in 3 equal annual instalments. The interest chargeable on delayed payment would be 12%P.A. or as fixed by the Government from time to time.

Provided further that for such allottees also, after execution of regular lease deed, the conditions of Rule 7.1(c), (g), (i) & (j) will be applicable.

7.2.2 In the event, a shed is transferred to a new Industrial Enterprise on account it being taken over and sold under Section 29 of the State Financial Corporations (SFCs) Act, 1951 by HPFC or HPSIDC or under orders of BIFR the provisions of Rule 7.1 (i) will be applicable.

7.3 The existing allottees whose subsisting lease deed with the Department are for a period of 20 years may enter into a supplementary lease deeds for a period of 45 years from the date of signing of initial agreement to lease. For such allottees also the conditions of Rule 7.1(c), (g), (i) & (j) will be applicable.

7.4 Shops in the Industrial Areas/Estates will be allotted on lease hold basis by inviting sealed bids/open auction for a period of 45 years. The allottees who were allotted shops prior to the appointed day on rental basis may either continue to occupy the shops for the remaining period of rent on rental basis as per the terms and conditions of allotment or opt for converting their existing rental agreements into an agreement for allotment of such shop on a lease hold basis for a period of 45 years calculated from the date of entering into agreement to lease. In such cases regular lease deed will be signed after realizing all outstanding dues and full premium of the shop to be calculated as follows:—

a	Actual cost of construction of shop.
b	Cost of land as on the date of execution of lease deed as determined by a Committee constituted under Rule 6.2 of these Rules.
Total Cost	a+ b

The existing allottees whose subsisting lease deeds with the Department are for a period of 20 years may enter into a supplementary lease deed for a period of 45 years from the date of signing of initial agreement to lease.

Wherever feasible and otherwise allowed under the applicable planning regulations of the area, an allottee after execution of lease deed may be allowed to construct one additional floor over the existing shop at his own cost. Prior approval of the Director in such cases shall be required, which will be considered on the merits of each case after charging additional premium equivalent to 50% of cost of land under shop, as determined by the committee constituted under Rule 6.2 of these Rules and applicable at the time of according such permission. The supplementary lease deed for the remaining period of the lease deed indicating the additional built up area also will be entered into between the Department and an allottee in such case.

8. SUBSIDY TOWARDS THE COST OF PREPARATION OF FEASIBILITY REPORT:

(a) New Industrial Enterprise will be eligible for the reimbursement of 50% expenditure incurred towards the cost of preparation of feasibility report or Rs.10,000/- for Micro Enterprise, Rs.40,000/- for Small Enterprise and Rs. 1 lakh for Medium, Large, Thrust Enterprise and Specified Category of Activities, whichever is less.

(b) The New Industrial Enterprise may apply to the concerned DDI/GM,DIC/MS,SWCA within a period of one year from the date of commencement of commercial production alongwith proof of the payment made to an approved Consultant or Agency.

11. ADDITIONAL INCENTIVES TO SPECIAL CATEGORY OF ENTREPRENEURS FOR SETTING UP OF NEW INDUSTRIAL ENTERPRISE(S) IN MICRO AND SMALL SECTORS:

(a) Reimbursement of 90% expenditure incurred towards the cost of preparation of feasibility report with a ceiling of Rs.25, 000/- in each case.

(b) 100% subsidy on the carriage and installation cost of the plant and machinery.

(c) Special Investment Subsidy @ 10% on Fixed Capital Investment (FCI) subject to a maximum of Rs. 1,00,000/-.

(d) Interest subsidy @ 5 % on term loan availed from the Financial Institution(s) as per original repayment schedule with a ceiling of Rs. 50,000 p.a. for a period of 3 years. This interest subsidy will be made available for "Specified Category of Activities" (as listed in Annexure-IV) with FCI upto Rs. 25 lakhs. No interest subsidy will be paid on defaulted installments and the period of default will be counted for determining the ceiling of 3 years viz. interest subsidy will be admissible for the first 3 years of the original repayment schedule finalized by the Financial Institution at the time of sanctioning of loan.

11.1 PREFERENTIAL ALLOTMENT OF LAND AT CONCESSIONAL RATES FOR ESTABLISHMENT OF INDUSTRIAL ENTERPRISES BY PERSON(S) WITH DISABILITIES:

(a) 3% of the industrial plots/ industrial sheds available for allotment for the first time shall be allotted to Industrial Enterprises to be set up/promoted by Person(s) with Disability either individually or collectively. 3% reservation of plots/ sheds shall be done in the same manner reservation as to the posts in employment to such persons is being provided, wherein preferential roster point is assigned e.g. if there are only 2 plots/industrial sheds, one plot/industrial shed will go to the person(s) with disability.

(b) Industrial plots/ sheds will be allotted to Person(s) with Disability at 90% of the premium/ rates fixed by the Government from time to time.

(c) The procedure for allotment of plots/industrial sheds & condition of allotment will be the same as contained in Rule 6 & 7 of the these Rules.

12. ADDITIONAL INCENTIVES FOR PROMOTION OF EXPORT:

(a) Reimbursement of cost incurred for shipment of export samples by Micro & Small EOUs from the nearest port/container depot to the port of destination with a ceiling of Rs. 15000/- per consignment, subject to a maximum Rs. 50,000/- per Enterprise during its period of operation.

(b) **Market development assistance to Micro & Small EOUs.**—(i) Reimbursement of 50% of the cost incurred on publishing export marketing brochures and product literature with a ceiling of Rs.15,000/- per Enterprise during a financial year.

(ii) Reimbursement of 50% of the cost of participating in the relevant overseas trade fairs approved by the Trade Fair Authority of India/State Government with a ceiling of Rs.25, 000/- per enterprise during a financial year.

(c) 100% EOUs shall be eligible for grant of "Public Utility" status under the Industrial Disputes Act, 1947.

(d) Wherever available the Department may allot land/built up area to recognized Trading Houses and Export Promotion Council(s) set up in the State and engaged in the export of produce of State in accordance with the provisions made in Rule 6.

(e) The Department may allot land at concessional rates for the setting up of Inland Container Depot to facilitate the transportation of export items to Cargo Complexes/ Ports.

13. STATE AWARD SCHEME FOR EXPORTS, PRODUCTIVITY, QUALITY AND OUTSTANDING PERFORMANCE IN HANDICRAFT AND HANDLOOM SECTOR TO MICRO AND SMALL ENTERPRISES:

Sl. No.	Name of the Category	No. and description of awards for each category
1	Outstanding performance	1st award comprising of a trophy, certificate and cash award of Rs. in Exports. 25,000/-
2	Excellence in Productivity, Quality and Performance.	2nd award comprising trophy, certificate and cash award of Rs. 10,000/-
3	Outstanding performance by Micro & Small Scale Industrial Enterprises in Handicraft/Handloom sector.	3rd award consisting of commendation certificate and cash award of Rs. 5000/-

These awards will be given each year on the basis of selection made by a Committee headed by the Director.

14. INCENTIVES FOR QUALITY, TECHNOLOGY UPGRADATION AND INSTALLATION OF NEW POLLUTION CONTROL DEVICES:

14.1 Incentives for setting up of Testing Centres.—One time grant of Rs. 5 lacs or 30% of the cost of testing equipment and machinery installed, whichever is lower will be given to each Testing Center set up in the area of testing of raw material/components and finished products. This grant will be in addition to the grant/ financial assistance, if any, provided by any other Agency or Govt. of India for setting up of such Testing Centre. Such Testing Centers may be set up by an Industrial Association, Non Government Organisation (NGO), Society (acknowledged/ registered under Societies Registration Act, 1860 or any other statute), Public Sector undertakings which has obtained ISO Series certification related to setting up of such Testing Centre. The sanction and release of grant will be subject to following specific conditions:—

- (i) A Governing Council having representation from the concerned office of DDI/GM, DIC, as the case may be, and Department of Environment and Scientific Technologies of the Government will be constituted by the applying Agency.
- (ii) The applying Agency will submit a detailed project proposal (DPP) indicating the cost of Testing Centre, means of finance and sustainability of the proposal.
- (iii) The applying Agency will utilize the grant and furnish the utilization certificate duly audited by a Chartered Accountant and countersigned by the DDI/GM, DIC, as the case may be, within a period of one year of disbursement of grant.

- (iv) In case the Testing Centre stops functioning within a period 5 years of operation the entire grant disbursed will be recovered, if need be as arrear of Land Revenue.
- (v) The applying Agency will not dispose off any of the assets created out of grant without the prior permission of the Director.

14.2 Incentives for Technology Upgradation.—(a) Reimbursement of Rs. 10.00 lacs or 20% of the costs incurred on development of prototype patent, whichever is lower, for any technology innovation/ R&D by an Industrial Enterprise for which a patent has been obtained.

(b) One time grant of Rs. 5 lacs or 25% of the cost incurred, whichever is lower, on setting up of Technology Transfer unit by NGO's/ Societies duly registered with the competent Authority. This grant will be provided only after the Technology Transfer unit has assisted in technology transfer to a minimum of 10 Industrial Enterprises of the State.

14.3 Incentives on installation of new pollution control devices.—One time grant of Rs. 5 lakhs or 20% of cost of installation of modern pollution control devices, whichever is lower, will be payable to Industrial Enterprises set up in 'B' and 'C' category areas subject to following conditions:—

- (i) Certificate from the H.P. State Pollution Control Board to the effect that such pollution control devices has actually purchased/ installed for the first time and are functioning successfully in the Industrial Enterprises continuously for the last one year.
- (ii) Replacement of an existing pollution control device will not be reimbursed.

15. INCENTIVES TO THRUST INDUSTRIAL ENTERPRISES (ANNEXURE-II) {EXCLUDING SUCH INDUSTRIAL ENTERPRISES LISTED IN ANNEXURE-III}:

15.1 New Thrust Industrial Enterprises listed in Annexure II (excluding Industrial Enterprises listed in Annexure-III) and located in "B" and "C" category areas will be eligible for:—

- (i) Out of turn allotment of land/plot/ industrial sheds.
- (ii) Allotment of land/plot/ industrial sheds @50% of the normally applicable premium as may be determined by the Government from time to time for the general category of industries.

15.2 Exemption from the payment of State Excise Duty for a period of 7 years to New Thrust Industrial Enterprises set up as Micro and Small Scale Enterprises which are manufacturing wine/cider by using locally produced fruits and located in "B" and "C" areas.

15.3 New Thrust Industrial Enterprises based on Horticulture/Vegetable /Maize/herbal produce enterprises and located in 'B' and 'C' category areas shall be entitled for the following additional incentives:

- (a) Total exemption from the payment of Electricity Duty for a period of 10 years from the date of commencement of production.
- (b) Interest subsidy @5 % p.a. on term loan, with a ceiling of Rs. 2 lakhs p.a. for a period of 3 years.

15.4 Biotechnology related Thrust Enterprise(s) covered under Sl. No. 27 of Annexure –II of these Rules will be governed by:—

- (a) the procedure of the Department, as applicable to other Industrial Enterprises with regard to approval/acknowledgment, processing of applications for the purchase of private land, allotment and transfer of industrial plots/land/sheds in the Industrial Areas/ Estate including Biotechnology Parks/ Estates etc. of the State, release of electricity & water connections and other infrastructural requirements. The Department of Environment, Science and Technology of the State Government will be the Nodal Department for receiving, processing and recommending the applications of such Thrust Enterprise(s) to concerned Departments/ Boards/ Corporations of the State and Central Government, as the case may be, wherever required.
- (b) the Scheme of Incentives, Concessions and Facilities under these Rules as provided to other Industrial Enterprises. Such New Thrust Enterprise(s) located in 'B' and 'C' category area shall be eligible for the following additional incentives:—
 - (i) Out of turn allotment of land/plot/ industrial sheds.
 - (ii) Allotment of land/plot/ industrial sheds @50% of the normally applicable premium as may be determined by the Government from time to time for the general category of industries.
 - (iii) Interest subsidy @5 % p.a. on term loan, with a ceiling of Rs. 2 lakhs p.a. for a period of 3 years.

18. SCHEME FOR REGISTRATION AND GRANT OF INCENTIVES TO 'SPECIFIED CATEGORY OF ACTIVITIES'(ANNEXURE-IV):

18.1 The Department will register certain activities as 'Specified Category of Activities' listed in Annexure-IV promoted by bonafide Himachalis and certified as such by the concerned Government Department(s).

18.2 The applicant Enterprise shall apply to the Director/DDI/GM, DIC/MS, SWCA, as the case may be, on the application form being used for the acknowledgement Micro, Small & Medium Enterprises and application form for Large Scale Enterprises, depending upon the proposed level of investment in Plant and Machinery/Equipments. The Department will forward the said application to the concerned Department (Departments of Agriculture/Horticulture/Animal Husbandry/ Fisheries etc. as the case may be) for certifying that the project is covered under the definition of 'Specified Category of Activities'. The Department will register these projects on provisional basis and maintain registration record of such activities separately. Such 'Specified Category of Activities' will be permanently registered after commencement of commercial production and will be issued Eligibility Certificate giving detail of commencement of commercial production and incentives and concessions as applicable.

18.3 In case any activity included in 'Specified Category of Activities' is also acknowledged as an Industrial Enterprise under the provisions of the MSME Act 2006 it will be only entitled to avail of those incentives and concessions which are provided to New Industrial Enterprises under these Rules.

18.4 The following incentives and concessions will be available to such New Enterprises registered on permanent basis as a Specified Category of Activities:

- (i) Concessional rate of Electricity Duty @ 10 Paise per unit for a period of 5 years from the date of commencement of commercial production.
- (ii) Interest subsidy @5 % p.a. on term loan and working capital with a ceiling of Rs. 1 lakhs p.a. for a period of 3 years.
- (iii) Fixed Capital Investment Subsidy @ 15% subject to a maximum of Rs. 5 lakhs on cost of structure, building, plant and machinery.
- (iv) Sanction of water and electricity connection on priority.
- (v) Exemption from the payment of Luxury Tax and Entertainment Tax (as applicable) for a period of 5 years from the date of commencement of commercial production.

21. MANPOWER DEVELOPMENT:

(a) (i) Private Recruitment Agencies obtaining a No Objection Certificate from the Labour Commissioner- cum- Director of Employment, H.P. will be eligible for the allotment of land/plot/ built up space in the Industrial Areas/Estates in accordance with the provisions made under Rule 6&7.

(ii) Industrial Enterprises which organize recruitment camps outside the District of their location or conduct campus interviews in the Colleges, Universities, Technical Training Institutes of the State will be eligible for incentive of Rs.500/- per bonafide Himachali candidate so recruited by it on regular basis subject to the condition that the recruitment so made is verified by the concerned District Employment Officer and by the DDI/GM, DIC/MS, SWCA, as the case may be. This incentive may also be availed by the Placement Cells of Colleges, Universities, Technical Training Institutes of the State.

(iii) Industrial Enterprises will be reimbursed 50% of the actual cost of training or Rs. 5000/- per trainee, whichever is less to its workers belonging to Below Poverty Line/Schedule Caste /Schedule Tribe families for upgrading of their skills in Government recognized institutions or recognized/licensed units located outside the State, subject to a ceiling of Rs. 25,000/- per Enterprise per year. This subsidy will be subject to the condition that all such trained workers will continue to be employed for at least a period of 3 years by the Enterprise.

(b) **Award Scheme for Employment.**—Industrial Enterprises will be awarded following prizes on annual basis for employing maximum number of bonafide Himachalis:

Name of the Award	Description of Award
1st Prize.	Trophy, Certificate and cash Award of Rs. 25,000/-
2nd Prize	Trophy, Certificate and cash Award of Rs. 10,000/-
3rd Prize	A commendation Certificate and a cash award of Rs. 5,000/-

22. INCENTIVES FOR SETTING UP OF STATE OF THE ART COMPUTERIZED AUCTION HOUSES AND QUALITY CERTIFYING AGENCIES:

22.1 Entrepreneurs in private sector setting up modern auction houses, marts and infrastructure for physical handling, storing, marketing and facilitating on line auction of

agriculture/horticulture/sericulture/floriculture/animal husbandry produce/pisciculture produce in the State or for setting up modern offices for use by buyers/sellers and facilities for producers, setting up recognized quality certifying agencies (recognized by the concerned Department of the State Government) will be eligible for the following incentives:

- (i) 25% subsidy on cost of computers and related peripherals, cost of testing and quality control equipment, subject to a ceiling of Rs. 2 lakhs per project.
- (ii) Concessional rate of Electricity Duty @ 10 Paise per unit for a period of 5 years from the date of commencement of operation.
- (iii) The Government may by a Notification in the official Gazette under Section 40 (1) of the Industrial Disputes Act, 1947 may include such establishments to the 1st schedule.
- (iv) The Government by exercising its powers under Section 65(2) of the Factories Act may grant exemption to such establishments from the provisions of Section 51, 52, 54 and 56 of the Act. This will enable such establishments to increase their working hours from 60 per week (Section 51) to 11 per day (Section 54) and spread over to 13 hours per day (Section 56).
- (v) The Governments may exercise its power to facilitate two-shift operation with women workers to enable them to work between 5.00 am to 10.00 pm also and beyond the prescribed working hours between 6.00 am to 7.00 pm under Section 66 (1) (b) of the Factories Act. This will however be done on the condition that the management will make adequate transport, safety and security arrangements for the women workers.
- (vi) Contract Labour from amongst bonafide Himachalis will be permitted Under Section 10 of the Contract Labour (Regulation & Abolition) Act, 1970 in such establishments for non-core activities like cleaning, security, gardening, loading/unloading etc. subject to the condition that minimum wages will be applicable to such contractual labour.

ANNEXURE-I

CATEGORIES OF AREAS FOR THE PURPOSE OF INCENTIVES

	District	Category "A" Areas (excludes Backward Panchayats)	Category "B" Areas (Entire area under the following Development Blocks including left out areas of the Development Blocks indicated under Category 'A' Areas and excludes any Backward Panchayat)	Category "C" Area (Tax Free Zones) (Includes all Tribal Blocks and Development Blocks mentioned under this category and includes all Backward Panchayats located in Blocks under the 'A' and 'B' Category Area)
1	Bilaspur	-	Bilaspur Sadar Ghumarwin Jhandutta	

2.	Chamba	-	Bhattiyat Chamba	Bharmaur Pangi Tissa Salooni Mehla
3.	Hamirpur	-	Hamirpur Bijhari Nadaun Bhoranj Sujanpur-Tihra Bamsan	
4.	Kangra	-	Kangra Rait Nagrota Bagwan Panchrukhi Fatehpur Lamba Gaon Baijnath Nagrota Surian Dehra Bhawarna Paragpur Indora Nurpur Sulah Dharamshala	
5.	Kinnaur	-		Kalpa Pooh Nichar
6.	Kullu	-	Kullu Naggar-Katrain	Anni Nirmand Banjar
7.	Lahaul & Spiti	-		Lahaul (Keylong) Spiti (Kaza)
8.	Mandi	-	Mandi Sadar Sundernagar Balh Gopalpur Darang Chauntra Dharampur	Seraj Karsog Gohar
9.	Shimla	-	Theog Mashobra Jubbal Narkanda Basantpur	Rohru Chopal Chhohara Rampur Nankhari
10.	Sirmaur	(1) All areas included in Qanungo circles of Majra and Paonta Sahib including	Rajgarh All Left out Areas (i.e excluding Areas indicated in	Pacchad

		Industrial Area Paonta Sahib in Paonta Sahib Development Block (2) All areas included in Qanungo circles of Nahan including Industrial Area Kala Amb in Nahan Development Block	Category 'A' list) of Dharampur, Nalagarh, Paonta Sahib, and Nahan Development Blocks	Shillai Sangrah
11.	Solan	(1) All Areas included in kanungo circles of Kasauli including Industrial Area Parwanoo in Dharampur Development Block (2) All Areas included in kanungo circles of Nalagarh and Doon, including Industrial Area/s Baddi, Barotiwala, EPIP etc. in Nalagarh Block	Kandaghat Kunihar Solan	-
12.	Una	-	Amb Gagret Dhundla Una Haroli	-

ANNEXURE –II**THRUST INDUSTRIAL ENTERPRISES****(AS REFERRED TO IN RULE 15 OF THESE RULES)**

(This list will not apply in respect of Industrial Enterprises which may also fall under the category of Industrial Enterprise listed in Annexure –III)

1. Enterprises based directly on horticulture produce including hops and tea.
2. Mineral water bottling.
3. Automobile manufacturing Enterprises including assembly Enterprises which have a minimum of 5 ancillary Enterprises substantially dependant on it.
4. Cold storage Enterprises /chain.
5. Fruit/vegetable/herbs/ honey/spices based wineries.
6. Production of Ciders/ale/liqueurs.
7. Sericulture/Handlooms/Khadi industry related manufacturing industrial activities.
8. Electronic Enterprises including computer software and information technology except assembling Enterprises where value addition is less than 15%.

9. Floriculture
10. Medicinal herbs and aromatic herbs etc. processing.
11. Horticulture, Maize based industries, herbal based industries and Agro Based Industries excluding those included in the negative list.
12. Food Processing Industry excluding those included in the negative list.
13. Sugar and its by-products.
14. Silk and silk products.
15. Wool and wool products
16. Woven fabrics (Excisable garments)
17. Sports goods and articles and equipment for general physical exercise and equipment for adventure sports/activities, tourism.
18. Paper & paper products excluding those in negative list (as per excise classification)
19. Pharma products.
20. Information & Communication Technology Industry, Computer hardware, Call Centres, I.T. Software and services.
21. Eco-tourism-Hotels, resorts in locations other than those located in the Municipal limits/NAC /Nagar Panchayats/Special Area Development Authority limits, as the case may be of Shimla, Dalhousie, Macleodganj and Manali
22. Spa, entertainment/amusement parks ropeways etc.
23. Industrial gases (based on atmospheric fraction).
24. Handicrafts
25. Non-timber forest product based industries.
26. Precision Industries
27. Enterprises to manufacture industrial products by any biotechnology process and Processing Laboratories or Research & Development activity related to processing, scale-up, other innovations and products in the field of Biotechnology, as approved by State Level Single Window Clearance and Monitoring Authority on the recommendation of the Department of Environment, Science and Technology of the State Government.

Note.—Products listed from Serial No. 9 to 24 are as reflected in Government of India, Ministry of Industry and Commerce O.M. dated 7/01/03 and as defined by Government of India from time to time.

ब अदालत नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, सुजानपुर जिला हमीरपुर, (हि0 प्र0)

पवन कुमार उर्फ विक्रम चन्द पुत्र श्री जोगी दास, टीका सुजानपुर, मौजा भलेठ, तहसील सुजानपुर
.. प्रार्थी।

बनाम

आम जनता .. प्रत्यार्थी।

प्रार्थना—पत्र नाम दुरुस्ती।

श्री पवन कुमार उर्फ विक्रम चन्द पुत्र श्री जोगी दास, निवासी सुजानपुर ने दिनांक 24-6-2008 को इस न्यायालय में एक प्रार्थना—पत्र प्रस्तुत करके अनुरोध किया है कि उसका नाम स्कूल के रिकार्ड में विक्रम चन्द दर्ज है परन्तु कागजात माल में टीका सुजानपुर में पवन कुमार दर्ज है। प्रार्थी का कहना है कि यह दोनों

नाम उसी के ही हैं। इसलिए उसने गुजारिश की है कि उसका नाम राजस्व रिकार्ड टीका सुजानपुर में पवन कुमार उर्फ विक्रम चन्द दर्ज किया जावे।

अतः इस इशतहार द्वारा आम जनता को सूचित किया जाता है कि अगर किसी को उपरोक्त प्रार्थी के नाम दुरुस्ती बारा कोई एतराज हो तो वह दिनांक 9-3-2009 को सुबह 10.00 बजे इस अदालत में असालतन या वकालतन उपस्थित आकर अपना एतराज पेश कर सकता है अन्यथा गैर हाजिरी की सूरत में एकतरफा कार्यवाही अमल में लाई जायेगी।

आज दिनांक 2-2-2009 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—
नायब तहसीलदार,
सुजानपुर, जिला हमीरपुर (हि0 प्र0)।

ब अदालत श्री नरेन्द्र कुमार जसवाल, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, सुजानपुर, तहसील सुजानपुर, जिला हमीरपुर (हि0 प्र0)

वौवी पुत्र श्री प्रताप चन्द, टीका सुजानपुर, मौजा भलेठ, तहसील सुजानपुर, जिला हमीरपुर, हि0 प्र0।
.. प्रार्थी।

बनाम

आम जनता .. प्रत्यार्थी।

प्रार्थी ने इस न्यायालय में शपथ-पत्र सहित निवेदन किया है कि इसका नाम राजस्व अभिलेख के टीका सुजानपुर में वौवी पुत्र प्रताप चन्द दर्ज है। जबकि प्रार्थी का नाम अन्य जगह जैसे राशन कार्ड, पंचायत रिकार्ड व स्कूल प्रमाण-पत्र में अरविन्द वर्मा है। इसलिए राजस्व अभिलेख में भी अरविन्द वर्मा नाम दर्ज किया जाये।

अतः इस इशतहार द्वारा आम जनता को सूचित किया जाता है कि जिसे राजस्व अभिलेख में अरविन्द वर्मा का नाम वौवी उर्फ अरविन्द वर्मा दर्ज करने बारे कोई आपत्ति हो तो वह असालतन या वकालतन दिनांक 9-3-2009 को उपस्थित होकर अपनी आपत्ति पेश कर सकता है। उसके बाद एकतरफा कार्यवाही अमल में लाई जाकर कोई आपत्ति नहीं सुनी जाएगी और नाम दुरुस्ती के आदेश पारित कर दिये जाएंगे।

आज दिनांक 2-2-2009 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

नरेन्द्र कुमार जसवाल,
कार्यकारी दण्डाधिकारी,
सुजानपुर, जिला हमीरपुर (हि0 प्र0)।

ब अदालत श्री नरेन्द्र कुमार जसवाल, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, सुजानपुर, जिला हमीरपुर (हि0 प्र0)

श्री मुनीष जैन पुत्र श्री कर्ण सिंह, टीका वार्ड नम्बर 9, सुजानपुर, तहसील सुजानपुर, जिला हमीरपुर, हि0 प्र0 .. प्रार्थी।

बनाम

आम जनता

. . प्रत्यार्थी।

प्रार्थना—पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री मुनीष जैन पुत्र श्री कर्ण सिंह, टीका वार्ड नम्बर 9, सुजानपुर, मौजा भलेठ ने दिनांक 29-5-2008 को इस न्यायालय में एक प्रार्थना—पत्र प्रस्तुत करके अनुरोध किया है कि उसकी लड़की का जन्म दिनांक 11-5-2006 को टीका सुजानपुर, तहसील सुजानपुर में हुआ है मगर अज्ञानतावश उसके जन्म का पंजीकरण नगर पंचायत सुजानपुर के अभिलेख में दर्ज न करवाया है इसलिए अब करवाना चाहते हैं।

अतः इस इशतहार द्वारा आम जनता को सूचित किया जाता है कि जिसे उपरोक्त तुलसी जैन के जन्म के पंजीकरण को नगर पंचायत सुजानपुर के रिकार्ड में दर्ज करने बारे कोई आपत्ति हो तो वह दिनांक 9-3-2009 को सुबह 10 बजे इस अदालत में असालतन या वकालतन उपस्थित आकर अपना एतराज पेश कर सकता है अन्यथा गैर हाजिरी की सूरत में एकतरफा कार्यवाही अमल में लाई जाएगी।

आज दिनांक 2-2-2009 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

नरेन्द्र कुमार जसवाल,
नायब तहसीलदार,
सुजानपुर, जिला हमीरपुर (हि0 प्र0)।

ब अदालत तहसीलदार एवं सहायक समाहर्ता प्रथम वर्ग, अम्ब, तहसील अम्ब, जिला ऊना (हि0 प्र0)

आगामी तारीख पेशी : 17-3-2009

श्री देव राज पुत्र श्री मंगत राम पुत्र रापो सिंह, वासी गांव नंगल जरियालां, तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश।

बनाम

आम जनता

विषय.— प्रार्थना—पत्र बाबत नाम दरुस्ती कागजात माल वाक्य उपमहाल चौकी, मौह धारिपे व नंगल जरियालां, मौजा नंगल जरियालां में दरुस्त दर्ज करवाने बारा ।

श्री देव राज पुत्र श्री मंगत राम, वासी नंगल जरियालां, तहसील अम्ब, जिला ऊना ने इस न्यायालय में प्रार्थना—पत्र प्रस्तुत किया है कि मुताबिक स्कूल त्याग प्रमाण—पत्र, तसदीक शुदा शपथ—पत्र, नकल आयकर लेखा संख्या, भारतीय निर्वाचन आयोग पहचान पत्रा, अन्य दीगर दस्तावेज अनुसार वास्तव में उसका नाम देव राज पुत्र मंगत राम सही दरुस्त दर्ज है, लेकिन कागजात माल वर्ष 2001-2002 वाक्य उपमहाल चौकी, वर्ष 2002-2003 वाक्य उपमहाल नंगल जरियालां तथा वर्ष 2005-2006 वाक्य उपमहाल मौह धारिपे, मौजा नंगल जरियालां में गुरदियाल सिंह पुत्र मंगत राम पुत्र राये सिंह गलत दर्ज चला आ रहा है। अतः उसका नाम उक्त उपमहालों में दरुस्त दर्ज किया जावे।

अतः सर्व जनसाधारण को सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त नाम की दरुस्ती करने बारे कोई उजर हो तो वह निश्चित देय तारीख 17-3-2009 को इस न्यायालय में प्रातः 10.00 बजे

असालतन या वकालतन हाजिर होकर अपना उजर प्रस्तुत कर सकता है हाजिर न आने की सूरत में नियमानुसार कार्यवाही अमल में लाई जावेगी।

आज दिनांक 17-1-2009 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित /—
तहसीलदार एवं सहायक समाहर्ता प्रथम वर्ग,
अम्ब, जिला ऊना (हि0 प्र0)।

ब अदालत श्री केसर राम, तहसीलदार एवं सहायक समाहर्ता प्रथम वर्ग, अम्ब, जिला ऊना (हि0 प्र0)

आगामी तारीख पेशी : 17-3-2009

श्री देस राज पुत्र श्री जैसी राम पुत्र श्री घैन्थों, निवासी गांव नुनपाई, तहसील अम्ब, जिला ऊना (हि0 प्र0)।

बनाम

आम जनता

विषय.— प्रार्थना—पत्र बराये नाम दरुस्ती कागजात माल, गांव चक सराये में दरुस्त दर्ज करवाने बारा।

श्री देस राज पुत्र श्री जैसी राम पुत्र श्री घैन्थों, निवासी नुनपाई, तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश ने इस न्यायालय में प्रार्थना—पत्र प्रस्तुत किया है कि मुताबिक सत्यापित नकल मैट्रिक परीक्षा प्रमाण—पत्र, तसदीकशुदा शपथ—पत्र नकल जमाबन्दी वर्ष 2004-2005 गांव चक मौजा नैहरीयालसा व अन्य दस्तावेज अनुसार वास्तव में प्रार्थी का नाम श्री देस राज पुत्र श्री जैसी राम सही व दरुस्त दर्ज है। लेकिन कागजात माल वाक्य चकसराये में श्री राज कुमार पुत्र श्री जैसी राम गलत दर्ज चला आ रहा है। अतः अब गांव चक के राजस्व रिकार्ड के आधार पर उसका नाम चकसराये में दरुस्त दर्ज किया जावे।

अतः सर्वसाधारण को इस इश्तहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त नाम की दरुस्ती करने बारे कोई एतराज हो तो वह निश्चित देय तारीख 17-3-2009 को इस न्यायालय में प्रातः 10.00 बजे असालतन या वकालतन हाजर आकर अपने उजर प्रस्तुत कर सकता है। हाजिर न आने की सूरत में नियमानुसार आगामी कार्यवाही अमल में लाई जावेगी।

आज दिनांक 20-1-2009 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

केसर राम,
तहसीलदार एवं सहायक समाहर्ता, प्रथम वर्ग,
अम्ब, जिला ऊना (हि0 प्र0)।

ब अदालत श्री मन मोहन शर्मा, समाहर्ता, उप—मण्डल, पांवटा साहिब, जिला सिरमौर (हि0 प्र0)

मिसल नम्बर
23/10 औफ 06

तारीख दायर
1-12-06

तारीख पेशी
28-2-09

श्री सुन्दर सिंह पुत्र श्री रनिया दी स्पेशल पावर औफ अटोरनी रनिया पुत्र श्री सिवा, निवासी ग्राम बनौर, तहसील पांवटा सहिब, जिला सिरमौर (हि0 प्र0) बगैरा (31 कस) . . अपीलान्टस (वादी)।

बनाम

श्री लायक राम पुत्र श्री उदिया, निवासी ग्राम बनौर, तहसील पांवटा साहिब, जिला सिरमौर (हि0 प्र0) बगैरा (389 कस) . . प्रतिवादीगण।

रविजन अन्डर सैक्शन 17 औफ हिमाचल प्रदेश लैण्ड रैक्न्यू एक्ट, खिलाफ आदेश दिनांक 6-1-2005 औफ सहायक समाहर्ता प्रथम श्रेणी, पांवटा सहिब, बाबत मुकदमा नम्बर 131/2004 एण्ड 130/04, उनवान नरायण सिंह आदि बनाम मदन सिंह आदि।

नोटिस बनाम।

1. श्री रघुवीर सिंह पुत्र श्री भुपिया, निवासी ग्राम बनौर, तहसील पांवटा सहिब, जिला सिरमौर, हिमाचल प्रदेश, 2. श्रीमती पुन्नी देवी, 3. श्रीमती जमोली पुत्रियां श्री भुपिया, निवासी ग्राम बनौर, 4. श्री चेत राम व नत्थू राम पुत्रान श्री मीना, निवासी ग्राम बनौर, 5. श्री सुखिया पुत्र सेलरु, 6. श्री सन्त राम पुत्र श्री भुप सिंह, 7. कु0 रक्षा देवी पुत्री श्री भुप सिंह, 8. श्रीमती मेन्डकी विधवा श्री भुप सिंह, 9. श्री जालम सिंह पुत्र श्री खोनका, 10. श्रीमती जुम्मा देवी व श्रीमती सुरमी पुत्रियां श्री भुपिया, 11. श्रीमती बील्ला व श्रीमती बिमला पुत्रियां श्री शिबु, 12. श्री साधु व श्री नत्थु पुत्रान श्री खरकु, 13. श्री मनशा राम, श्री खतरी राम, श्री लायक राम व श्रीमती सत्या देवी पुत्र एण्ड पुत्रियां श्री धनी राम, 14. श्री लायक राम, श्रीमती सुमित्रा व श्रीमती सत्या देवी पुत्र एण्ड पुत्रियां श्री शिबिया, 15. श्रीमती दानो विधवा श्री सोभा, 16. श्रीमती सीमा देवी व श्रीमती ललीता पुत्रियां श्री सही राम, 17. श्री गुलाबु, श्रीमती शबानी, श्रीमती यकमी, श्रीमती जुम्मा व श्रीमती गुलाबी पुत्र एवं पुत्रियां श्री खरकु, 18. श्री ध्यान सिंह पुत्र श्री सुखिया, 19. श्री उदय राम पुत्र श्री सुखीया, 20. श्री कमलेश, श्री अनिल कुमार, श्री सुदेश व श्री कपिल पुत्रान श्री उदय राम, 21. श्री शिशु पाल पुत्र श्री खजान सिंह, 22. श्रीमती नीना देवी, 23. श्रीमती आशा देवी, 24. श्रीमती संगीता देवी पुत्रियां श्री धर्म सिंह, 25. श्रीमती गन्गी देवी विधवा श्री धर्म सिंह, 26. श्री जगत राम पुत्र श्री मगनी, 27. श्री शिभा, 28. श्री नीत्या, 29. श्री मनी राम, 30. मंगी राम सभी पुत्रान खोनकु, 31. श्री बुधिया पुत्र श्री धन्ना, 32. श्री रती राम, 33. श्री नैन सिंह, 34. श्रीमती जैनो देवी, 35. श्रीमती दुर्गा देवी पुत्र व पुत्रियां श्री प्रीतम, 36. श्री शिबा नन्द, 37. श्री उदय राम पुत्रान श्री हरी सिंह, 38. श्री रमेश चन्द, 39. श्री ज्ञान सिंह पुत्रान श्री पंच राम, 40. श्रीमती कालटी पुत्र श्री सबला, 41. श्री मेहरू राम पुत्र श्री सेलरु, 42. श्री रंगी लाल पुत्र श्री चान्दनु, 43. श्रीमती जमोली विधवा चान्दनु, 44. श्री हरी सिंह, 45. श्री मलख राम, 46. श्रीमती पारवती पु. व पुत्रियां श्री बडु, 47. श्रीमती बारो विधवा बुदु, 48. श्री खजान सिंह, 49. श्रीमती सुरमी पुत्र व पुत्री श्री भजनु, 50. श्री सुन्दर सिंह, 51. श्रीमती जगलो देवी, 52. श्रीमती नरायणी देवी, 53. श्रीमती शपामा देवी पुत्र व पुत्रियां श्री मीन्ना, 54. श्री बुद्धु व श्री जगत राम पुत्रान श्री रायिया, 55. श्री मुला राम, 56. श्री कल्याण सिंह, 57. श्री जाती राम, 58. श्री शोभा राम पुत्रान श्री भुप सिंह, 59. श्री शिव सिंह व श्री नेतर सिंह पुत्रान श्री तुलसी राम, 60. श्री मीन सिंह पुत्र जुलटु, 61. श्री सुरत सिंह, पुत्र श्री मुन्डी, 62. श्री केहर सिंह व श्री रतन सिंह पुत्रान श्री खोनका, 63. श्री धनबीर पुत्र श्री मोही राम, 64. श्रीमती सज्जो देवी विधवा श्री मोही राम, 65. श्री नैन सिंह पुत्र श्री रणजीत सिंह, 66. श्री अन्नत राम, श्री कान्सी राम, श्री चतर सिंह पुत्रान श्री कुन्दन सिंह, 67. श्रीमती नीमो देवी, श्रीमती कान्ता देवी, श्रीमती बबीता देवी, श्रीमती ललीता देवी, श्रीमती मस्ती देवी पुत्रियां श्री कुन्दन सिंह, 68. श्री रतन सिंह व श्री गान्धी राम पुत्रान श्री सोभा राम, 69. श्रीमती गुर देवी व श्रीमती चमोली पुत्र व पुत्री श्री भुप सिंह, 70. श्री सुन्दर पुत्र श्री खतरी राम, 71. श्रीमती जैनो पुत्री खोनका, 72. श्री जगत सिंह व भीम सिंह पुत्रान श्री नत्थू, 73. श्रीमती शुष्पी पुत्री श्री मोतिया, 74. श्री जाती राम, श्री सीता राम व श्रीमती जयान्ती पुत्र व पुत्री श्री हीरा, 75. श्री देव राम पुत्र श्रीमती चमेनी पुत्री श्री हीरा सिंह, 76. श्रीमती सुन्दरा, श्रीमती आशा, श्रीमती नीशा व श्रीमती सरोज पुत्रियां श्रीमती चमेली, 77. श्री बस्ती राम पुत्र श्री

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उपरोक्त मुकदमा उनवान बाला में इस न्यायालय में सहायक समाहर्ता प्रथम श्रेणी पांबटा साहिब के आदेश दिनांक 6-1-2005 मिसल नम्बर 131/2004 व 130/2004 के खिलाफ अपील दायर कर रखी जिसकी सुनवाई इस अदालत द्वारा की जानी है जिसमें प्रतिवादीगण नम्बर 1 ता 158 की उपस्थिति आवश्यक है। इस न्यायालय द्वारा उक्त प्रतिवादिगणों को कई बार समन जारी किये गये हैं परन्तु वह अदालत हजा में हाजिर न आये। जिससे प्रतीत होता है कि इन प्रतिवादिगणों के समनों की तामील साधारण तरीके से की जानी असम्भव हैं।

अतः प्रतिवादिगण नम्बर ता 158 को बजरिया इश्तहार सूचित किया जाता है कि आप मुकदमा की पैरवी हेतु असालतन या वकालतन दिनांक 28-2-2009 को सुबह 10.00 बजे अधोहस्ताक्षरी के न्यायालय में उपस्थित आवें। उपस्थित न होने की सूरत में आपके विरुद्ध कार्यवाही एक तरफा अमल में लाई जायेगी।

आज दिनांक 6-1-2009 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

मन मोहन शर्मा,
समाहर्ता, उप-मण्डल, पांबटा साहिब,
जिला सिरमौर (हि0 प्र0)।

ब अदालत श्री राजेश्वर गोयल (एच0ए0एस0), उप-मण्डल मैजिस्ट्रेट, मनाली, जिला कुल्लू (हि0 प्र0)

श्री हरी राम पुत्र श्री जगत राम, निवासी व डाकघर वाहंग, तहसील मनाली, जिला कुल्लू (हि0 प्र0)।

बनाम

आम जनता

दरखास्त बराये नाम की दुरुस्ती करने बारे।

श्री हरी राम पुत्र श्री जगत राम, निवासी व डाकघर वाहंग, तहसील मनाली, जिला कुल्लू (हि0 प्र0) ने इस कार्यालय में प्रार्थना-पत्र प्रस्तुत किया है कि उसका व उसके पिता का नाम ग्राम पंचायत शनाग के परिवार रजिस्टर में हरी राम के बजाए हरी सिंह व जगत राम के बजाए जगत सिंह लिखा गया है जिसकी वह पंचायत में दुरुस्ती करवाना चाहते हैं इस सम्बन्ध में ब्यान हल्फिया व परिवार रजिस्टर के नकल की प्रति भी प्रस्तुत की है। अतः इसे बदलकर दुरुस्त किया जावे।

अतः इस अदालती इश्तहार द्वारा सर्वसाधारण को सूचित किया जाता है कि उक्त प्रार्थी श्री हरी राम व उसके पिता की दुरुस्ती बारे किसी को किसी प्रकार की कोई भी आपत्ति हो तो वह दिनांक 6-3-2009 को या इससे पूर्व इस अदालत में हाजिर होकर अपनी आपत्ति दर्ज करवा सकता है। इसके उपरान्त कोई भी उजर एतराज समायत न होगा तथा नियमानुसार उक्त नाम की दुरुस्ती करवाने के आदेश पारित कर दिये जाएंगे।

आज दिनांक 7-2-2009 को मेरे हस्ताक्षर व मोहर द्वारा जारी हुआ।

मोहर।

राजेश्वर गोयल (एच0ए0एस0),
उप-मण्डल मैजिस्ट्रेट, मनाली,
जिला कुल्लू (हि0 प्र0)।

In the Court of Shri Rajeshwar Goel (HAS), Special Marriage Officer-cum-Sub Divisional Magistrate, Manali, Distt. Kullu (H.P.)

In the matter of

Dr. Ashmit Aryan s/o Sh. Badun Ram, r/o Titir Chand, New Sainik School Tiliya, P.O. Tilaiya Dam, Tehsil Chandwara, Distt. Koderma, Jharkhand A/P Lady Willengdon Hospital Manali, Distt. Kullu (H.P.) with Miss. Sushma Narayan Priyambada d/o Sh. Kashi Nath Ram, r/o Basudev Dehri, P.O. & PS Dinara, Distt. Rohtas Bihar A/P residing at Lady Willingdon Hospital Manali, Distt. Kullu, (H.P.).

Versus

General Public

An application for registration of Marriage under Special Marriage Act, 1954.

Whereas Dr. Ashmit Aryan s/o Sh. Badun Ram, r/o Titir Chand, New Sainik School Tiliya, P.O. Tilaiya Dam, Tehsil Chandwara, Distt. Koderma, Jharkhand A/P Lady Willengdon Hospital Manali, Distt. Kullu (H.P.) has presented an application on 6-2-2009 in this court for the registration of marriage under Special Marriage Act, 1954. Hence this proclamation is hereby issued for the information of general public that if any persons have any objection for the registration of the above marriage can appear in this court on 5-3-2009 at 2.00 P.M. to object registration of above marriage personally or through an authorized agent failing which this marriage will be registered under this Act, 1954 accordingly.

Given under my hand and seal of the court 6th day of February, 2009.

Seal.

Rajeshwar Goel (HAS),
Special Marriage Officer-cum-Sub Divisional Magistrate,
Manali, Distt. Kullu (H.P.).

ब अदालत श्री अच्छर सिंह ठाकुर, नायब तहसीलदार एवं सहायक समाहर्ता द्वितीय श्रेणी, थुरल, जिला कांगड़ा
(हि० प्र०)

मुकदमा दरुस्ती जाति नं० 03/2009/STT

तारीख पेशी : 16-3-2009

श्रीमती सरला देवी पुत्री श्री दिवाना पुत्र श्री तेगा, निवासी महाल सलेहड, मौजा डगेरा, उप-तहसील थुरल, जिला कांगड़ा।

बनाम

आम जनता

विषय.— प्रार्थना—पत्र दरुस्ती नाम राजस्व अभिलेख महाल सलेहड, मौजा डगेरा, उप-तहसील थुरल।

इश्तहार मुस्त्री मुनादी :

श्रीमती सरला देवी पुत्री श्री दिवाना पुत्र श्री तेगा, निवासी महाल सलेहड, मौजा डगेरा, उप-तहसील थुरल ने अदालत हजा में प्रार्थना-पत्र मय ब्यान हलफी पेश किया व आवेदन किया है कि उसका नाम उसके वोटर कार्ड, राशन कार्ड व उसके पति के पैनशन अभिलेख में सरला देवी ही दर्ज है। परन्तु राजस्व अभिलेख महाल सलेहड, मौजा डगेरा, उप-तहसील थुरल, जिला कांगड़ा में गलती से प्रार्थीया का नाम श्रीमती सरसुती पुत्री दिवाना दर्ज हो गया है। जब कि प्रार्थीया का नाम सरला देवी है।

अतः प्रार्थीया का आवेदन स्वीकार करते हुए इशतहार मुस्त्री मुनादी द्वारा आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त नाम दुरुस्ती बारे कोई आपत्ति हो तो वह असालतन या वकालतन तारीख पेशी 16-3-2009 को हाजिर अदालत होकर अपना उजर पेश कर सकता है। बाद तारीख पेशी कोई उजर नहीं सुना जावेगा व नाम दुरुस्ती का आदेश कर दिया जावेगा।

मोहर।

अच्छर सिंह ठाकुर,
नायब तहसीलदार एवं सहायक समाहर्ता द्वितीय श्रेणी,
थुरल, जिला कांगड़ा (हि0 प्र0)।

ब अदालत श्री अच्छर सिंह ठाकुर, नायब तहसीलदार एवं सहायक समाहर्ता द्वितीय श्रेणी, थुरल, जिला कांगड़ा
(हि0 प्र0)

मुकद्दमा नं0 01/2009

तारीख पेशी : 16-3-2009

श्री बलवन्त सिंह पुत्र प्रकाश चन्द, निवासी वल भूरिया, डाकघर बैरघटा, उप-तहसील थुरल, जिला कांगड़ा।

बनाम

आम जनता

Subject.—Application U/S 13(III) for the Registration of Birth & Death Act, 1969.

श्री बलवन्त सिंह पुत्र श्री प्रकाश चन्द, निवासी वल भूरिया, डाकघर बैरघटा, उप-तहसील थुरल, जिला कांगड़ा ने अदालत में एक प्रार्थना-पत्र मय ब्यान हलफी पेश किया व प्रार्थना की है कि उसकी पत्नी स्व0 श्रीमती सुदर्शना देवी की मृत्यु 22 मई, 1991 को गांव वल भूरिया, डाकघर बैरघटा, उप-तहसील थुरल में हुई थी परन्तु अज्ञानता के कारण उसकी मृत्यु ग्राम पंचायत में दर्ज न करवाई है। अतः मेरी पत्नी की मृत्यु पंजीकरण का आदेश प्रधान ग्राम पंचायत बैरघटा को जारी करने बारे आवेदन किया है। अतः प्रार्थी का आवेदन स्वीकार करते हुए इशतहार मुस्त्री मुनादी राजपत्र, हिमाचल प्रदेश में बराये प्रकाशन आम जनता की तल्वी हेतु भेजा जाता है।

अतः इशतहार मुस्त्री मुनादी द्वारा आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त मृत्यु पंजीकरण बारे कोई एतराज हो तो वह असालतन या वकालतन तारीख पेशी 16-3-2009 को हाजिर अदालत होकर अपना उजर पेश कर सकता है। बाद तारीख पेशी किसी किस्म का उजर एवं एतराज नहीं सुना जावेगा व तारीख पेशी को श्रीमती सुदर्शना देवी की मृत्यु पंजीकरण का आदेश प्रधान ग्राम पंचायत को जारी कर दिया जावेगा।

ये इशतहार मोहर अदालत व मेरे हस्ताक्षर से आज दिनांक 6-2-2009 को जारी हुआ।

मोहर।

अच्छर सिंह ठाकुर,
नायब तहसीलदार एवं सहायक समाहर्ता द्वितीय श्रेणी,
थुरल, जिला कांगड़ा (हि0 प्र0)।

ब अदालत सहायक समाहर्ता प्रथम श्रेणी, सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश

ब मुकदमा शीर्षक :

श्री सोहन लाल पुत्र श्री बंगालू राम, निवासी सलवाणा, डा0 सलवाणा, तहसील सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश प्रार्थी।

बनाम

आम जनता

प्रत्यार्थी।

प्रार्थना—पत्र बाबत नाम दुरुस्ती।

प्रार्थी सोहन लाल पुत्र श्री बंगालू राम, गांव व डा0 सलवाणा, तहसील सुन्दरनगर, जिला मण्डी (हि0 प्र0) ने इस अदालत में प्रार्थना—पत्र मय शपथ—पत्र इस आशय से पेश किया है कि उसका नाम राजस्व अभिलेख में सोहन सिंह सही दर्ज है जबकि उसका नाम ग्राम पंचायत सलवाणा के अभिलेख में सोहन लाल गलत दर्ज किया गया है। अब उसका नाम राजस्व अभिलेख मुहाल सलवाणा/65 तथा ग्राम पंचायत सलवाणा के परिवार रजिस्टर में सोहन सिंह के स्थान पर सोहन सिंह उपनाम सोहन लाल दर्ज करने के आदेश क्षेत्रीय अभिकरण तथा सचिव, ग्राम पंचायत सलवाणा को दे दिए जाए।

अतः इस इश्तहार के माध्यम से आम जनता को सूचित किया जाता है कि उपरोक्त नाम की दुरुस्ती बारे किसी को उजर/एतराज हो तो वह दिनांक 12-3-2009 को असालतन या वकालतन हाजर अदालत आकर अपना उजर/एतराज पेश कर सकते हैं। हाजर न आने की सूरत में एकतरफा कार्यवाही अमल में लाई जाकर नाम दुरुस्ती के आदेश क्षेत्रीय अभिकरण व सचिव ग्राम पंचायत सलवाणा को दे दिए जायेंगे।

आज दिनांक 5-2-2009 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता प्रथम श्रेणी,
सुन्दरनगर, जिला मण्डी (हि0 प्र0)।

ब अदालत सहायक समाहर्ता प्रथम श्रेणी, सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश

ब मुकदमा शीर्षक :

श्री प्रेम लाल पुत्र श्री रघू निवासी खैली, डा0 कांगू, तहसील सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश प्रार्थी।

बनाम

आम जनता

प्रत्यार्थी।

प्रार्थना—पत्र बाबत नाम व जन्म तिथि की दुरुस्ती बारे।

प्रार्थी प्रेम लाल पुत्र श्री रघू निवासी खैली, डा0 कांगू, तहसील सुन्दरनगर, जिला मण्डी (हि0 प्र0) ने इस अदालत में प्रार्थना—पत्र मय शपथ—पत्र इस आशय से पेश किया है कि उसके पिता का नाम राजस्व अभिलेख व ग्राम पंचायत जड़ोल के अभिलेख में रघू सही दर्ज है जबकि उसके पिता का नाम उसके स्कूल

प्रमाण-पत्र में गोरखू राम दर्ज किया गया है। अब उसके पिता का नाम राजस्व अभिलेख मुहाल जड़ोल/94 तथा ग्राम पंचायत जड़ोल के परिवार रजिस्टर में रघू उपनाम गोरखू राम करने के आदेश क्षेत्रीय अभिकरण तथा सचिव, ग्राम पंचायत जड़ोल को दे दिए जाएं। इसके अतिरिक्त प्रार्थी ने यह भी निवेदन किया है कि उसकी जन्म तिथि ग्राम पंचायत जड़ोल के परिवार रजिस्टर में केवल वर्ष 1955 गलत दर्ज की है जबकि उसकी जन्म तिथि स्कूल प्रमाण-पत्र में 20-5-1956 सही दर्ज है। अब उसकी जन्म तिथि को ग्राम पंचायत जड़ोल के परिवार रजिस्टर में केवल वर्ष 1955 के स्थान पर 20-5-1956 करने के आदेश सचिव ग्राम पंचायत जड़ोल को दिए जाएं।

अतः इस इशतहार के माध्यम से आम जनता को सूचित किया जाता है कि उपरोक्त नाम व जन्म तिथि की दुरुस्ती बारे किसी को उजर/एतराज हो तो वह दिनांक 12-3-2009 को असालतन या वकालतन हाजर आकर अपना उजर/एतराज पेश कर सकते हैं। हाजर न आने की सूरत में एकतरफा कार्यवाही अमल में लाई जाकर नाम व जन्म तिथि की दुरुस्ती के आदेश क्षेत्रीय अभिकरण व सचिव, ग्राम पंचायत जड़ोल को दे दिए जायेंगे।

आज दिनांक 5-2-2009 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता प्रथम श्रेणी,
सुन्दरनगर, जिला मण्डी (हि0 प्र0)।

ब अदालत सहायक समाहर्ता, प्रथम श्रेणी, सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश

ब मुकद्दमा :

श्रीमती जसविन्द्र कौर पत्नी श्री गुरिन्द्र सिंह, निवासी भोजपुर, डा0 भोजपुर, तहसील सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश प्रार्थनी।

बनाम

आम जनता

प्रत्यार्थी।

प्रार्थना-पत्र बाबत नाम दुरुस्ती बारा।

प्रार्थनी जसविन्द्र कौर पत्नी श्री गुरिन्द्र सिंह, निवासी भोजपुर, डा0 भोजपुर, तहसील सुन्दरनगर, जिला मण्डी (हि0 प्र0) ने इस अदालत में प्रार्थना-पत्र मय शपथ-पत्र इस आशय से पेश किया है कि उसका नाम नगर परिषद् सुन्दरनगर के अभिलेख में मनिन्द्र कौर गलत दर्ज हुआ है। जबकि उसका नाम जसविन्द्र कौर है जो कि सही है। अब उसके नाम की दुरुस्ती बारे आदेश कार्यकारी अधिकारी, नगर परिषद् सुन्दरनगर को दे दिए जाएं।

अतः इस इशतहार के माध्यम से आम जनता को सूचित किया जाता है कि उपरोक्त नाम की दुरुस्ती बारे किसी को उजर/एतराज हो तो वह दिनांक 26-2-2009 को सुबह 10.00 बजे असालतन या वकालतन हाजिर अदालत होकर पेश कर सकता है। हाजिर न आने की सूरत में एकतरफा कार्यवाही अमल में लाई जाकर कार्यकारी अधिकारी, नगर परिषद् सुन्दरनगर को प्रार्थी का नाम दुरुस्त करने के आदेश पारित कर दिए जायेंगे।

आज दिनांक 28-1-2009 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता प्रथम श्रेणी,
सुन्दरनगर, जिला मण्डी (हि0 प्र0)।

ब अदालत कार्यकारी दण्डाधिकारी, सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश

ब मुकद्दमा :

श्री हेम राज पुत्र श्री प्रेम लाल, निवासी मकान नं० 66, वार्ड नं० 7, पुराना बाजार, सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश वादी।

बनाम

आम जनता

प्रतिवादी।

प्रार्थना—पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत जन्म तिथि दर्ज करने बारे।

उपरोक्त मुकद्दमा में श्री हेम राज प्रार्थी ने दिनांक 5-2-2009 को इस अदालत में प्रार्थना—पत्र मय शपथ—पत्र पेश किया है कि उसकी पुत्री स्नेहा शर्मा की जन्म तिथि 1-1-2004 है तथा उसका जन्म निवास स्थान पुराना बाजार, तहसील सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश में ही हुआ है लेकिन उसने अपनी पुत्री की जन्म तिथि भूलवश नगर परिषद् सुन्दरनगर के अभिलेख में दर्ज नहीं करवाई है। अब उसकी जन्म तिथि को दर्ज करने के आदेश कार्यकारी अधिकारी, नगर परिषद् सुन्दरनगर को दे दिए जाएं।

अतः आम जनता को इस इशतहार के माध्यम से सूचित किया जाता है कि यदि किसी भी व्यक्ति को जन्म तिथि दर्ज करने बारा कोई उजर/एतराज हो तो वह दिनांक 16-3-2009 को समय 10.00 बजे सुबह या इससे पूर्व असातन या वकालतन हाजर अदालत आकर पेश करें अन्यथा हाजर न आने की सूरत में एकतरफा कार्यवाही अमल में लाई जाकर नियमानुसार जन्म तिथि दर्ज करने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 6-2-2009 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—
कार्यकारी दण्डाधिकारी,
सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश।

ब अदालत कार्यकारी दण्डाधिकारी, सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश

ब मुकद्दमा :

श्री कुलदीप सिंह पुत्र श्री राम लाल, निवासी कोटलू, डाकखाना जाम्बला, तहसील सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश वादी।

बनाम

आम जनता

प्रतिवादी।

प्रार्थना—पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत जन्म तिथि दर्ज करने बारे।

उपरोक्त मुकद्दमा में श्री कुलदीप सिंह प्रार्थी ने दिनांक 24-12-2008 को इस अदालत में प्रार्थना—पत्र मय शपथ—पत्र पेश किया है कि उसके पुत्र सहर्ष ठाकुर की जन्म तिथि 14-5-2007 है तथा उसका जन्म

निवास स्थान कोटलू, डाकखाना जाम्बला, तहसील सुन्दरनगर में हुआ है लेकिन उसने अपने पुत्र की जन्म तिथि ग्राम पंचायत जाम्बला के अभिलेख में भूलवश दर्ज नहीं करवाई है। अब उसके पुत्र की जन्म तिथि को दर्ज करने के आदेश सचिव, ग्राम पंचायत जाम्बला को दे दिए जाएं।

अतः आम जनता को इस इशतहार के माध्यम से सूचित किया जाता है कि यदि किसी भी व्यक्ति को जन्म तिथि दर्ज करने बारा कोई उजर/एतराज हो तो वह दिनांक 24-2-2009 को समय 10.00 बजे सुबह या इससे पूर्व असालतन या वकालतन हाजर अदालत आकर पेश करें अन्यथा हाजर न आने की सूरत में एकतरफा कार्यवाही अमल में लाई जाकर नियमानुसार जन्म तिथि दर्ज करने के आदेश पारित कर दिए जाएंगे।

आज दिनांक 30-1-2009 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—
कार्यकारी दण्डाधिकारी,
सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश।

कार्यालय सहायक समाहर्ता द्वितीय वर्ग, कृष्णगढ़, जिला सोलन, हिमाचल प्रदेश

शपथ—पत्र

यह कि मैं प्रमोद कुमारी, आयु 35 वर्ष पत्नी श्री चन्द्रशेखर, निवासी ग्राम कृष्णगढ़ कुठाड़, उप-तहसील कृष्णगढ़, जिला सोलन, हि0 प्र0 की हूं व निम्न ब्यान हलफिया करती हूं :

यह कि मेरा नाम स्कूल में तथा पंचायत में प्रमोद कुमारी है, वर्ष 1993 में शादी के बाद मेरा नाम बदल कर ससुराल में पूजा शर्मा रखा गया था तथा पूजा शर्मा व प्रमोद कुमारी दोनों मेरे ही नाम हैं। अतएव किसी भी रिकार्ड में मेरा नाम प्रमोद कुमारी या पूजा शर्मा करने पर मेरा कोई भी एतराज नहीं है।

हस्ताक्षरित/—
ब्यान करती।

सत्यापन :

मैं उपरोक्त ब्यान करती सत्यापित करती हूं कि मेरा ऊपर दिया गया ब्यान मेरी जानकारी के मुताबिक सत्य व सही है तथा इसमें कुछ भी छिपाया नहीं गया है।

हस्ताक्षरित/—
ब्यान करती।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय वर्ग,
कृष्णगढ़, जिला सोलन (हि0 प्र0)।

ब अदालत श्री पी0 सी0 नेगी, कार्यकारी दण्डाधिकारी, रोहडू, जिला शिमला (हि0 प्र0)

श्री शोभा राम पुत्र श्री मिचू राम, निवासी दशालनी, तहसील रोहडू, जिला शिमला (हि0 प्र0) . प्रार्थी।

बनाम

आम जनता

दरखास्त जेर धारा 13 (3) पंजीकरण जन्म व मृत्यु।

उपरोक्त मुकद्दमा उनवान वाला में प्रार्थी श्री शोभा राम पुत्र श्री मिचू राम, निवासी दशालनी, तहसील रोहड़ू, जिला शिमला, हिमाचल प्रदेश ने इस कार्यालय में गुजारिश की है कि उसके पिता श्री मिचूराम की मृत्यु दिनांक 11-4-2001 को हुई है लेकिन उसकी मृत्यु तिथि नगर पंचायत रोहड़ू के रिकार्ड में पंजीकृत नहीं हुई है। अतः आम जनता को बजरिया इश्तहार राजपत्र सूचित किया जाता है कि उपरोक्त पंजीकरण के बारा किसी को कोई उजर व एतराज हो तो दिनांक 9-3-2009 को असालतन व वकालतन इस कार्यालय में सुबह 10.00 बजे हाजर आवें तथा अपने उजर पेश करें अन्यथा दिगर कार्यवाही अमल में लाई जावेगी।

आज दिनांक 7-2-2009 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।
मोहर।

पी0 सी0 नेगी,
कार्यकारी दण्डाधिकारी,
रोहड़ू, जिला शिमला (हि0 प्र0)।

In the Court of Shri Man Singh Verma, Sub-Divisional Magistrate, Shimla (R), District Shimla (H.P.).

Shri Ram Lal s/o Sh. Moti Ram r/o Village Dawath (Shilly Seri), Tehsil & District Shimla
. . Applicant.

Versus

General Public

Whereas Sh. Ram Lal s/o Sh. Moti Ram r/o Village Dawath (Shilly Seri), Tehsil & District Shimla has filed an application along with affidavit in the court of undersigned under section 15 of the Births & Deaths Registration Act, 1969 to correct his date of birth in the Panchayat record as 17-8-1956 in place of 1956.

Hence, this proclamation is issued to the general public if any objection/claim regarding the correction of name, they may file their claim/objection on or before one month of publication of this notice in Govt. Gazette in this court, failing which necessary orders will be passed to the Gram Panchayat Totu.

Given today 2nd Feb., 2009 under my signature and seal of the court.

Seal.

MAN SINGH VERMA,
Sub-Divisional Magistrate, Shimla (R),
District Shimla (H.P.).

सहकारिता विभाग

अधिसूचना

शिमला-2, 17 फरवरी 2009

संख्या कोप-ए (3)-1/99 भाग-III.-हिमाचल प्रदेश कोआप्रेटिव सोसाइटीज नियम, 1971, को प्रारूप, तारीख 29-11-2008 के राजपत्र (असाधारण) हिमाचल प्रदेश में अधिसूचना संख्या कोप-ए (3)-1/99 भाग- III, तारीख 26-11-2008 द्वारा हिमाचल प्रदेश कोआप्रेटिव सोसाइटीज अधिनियम, 1968 (1969 का 3) की धारा 109 के अधीन यथा अपेक्षित; उन व्यक्तियों से, जिनको उनसे प्रभावित होने की सम्भावना थी, आक्षेप (पों) या सुझाव(वों), आमन्त्रित करने के लिए प्रकाशित किया गया था;

और विनिर्दिष्ट अवधि के भीतर सम्भाव्य प्रभावित होने वाले व्यक्तियों से प्राप्त किए गए आक्षेप(पों)/सुझाव(वों) पर विचार किया गया और उन्हें रद्द कर दिया गया;

अतः हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश कोऑपरेटिव सोसाइटीज अधिनियम, 1968 (1969 का 3) की धारा 109 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित नियम बनाते हैं; अर्थात्:-

1. संक्षिप्त नाम.—इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश कोऑपरेटिव सोसाइटीज (संशोधन) रूलज, 2008 है ।

2. नियम 14 का संशोधन.—हिमाचल प्रदेश कोऑपरेटिव सोसाइटीज रूलज, 1971 (जिन्हें इसमें इसके पश्चात उक्त नियम निर्दिष्ट किया गया है) के नियम 14 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:-

“14. Admission of member before general meeting of a Co-operative Society- No Society shall admit new members fifteen days prior to the date of its annual general meeting or a special general meeting.”

3. नियम 25 का संशोधन.—उक्त नियमों के नियम 25 में, उप नियम (2) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :-

“(2) Every resolution at a general meeting shall be decided by a majority of votes of the members present as laid down in the Act, Rules or byelaws, and if the votes are equal the Chairman shall have a casting vote.”

4. नियम 30 का संशोधन.—उक्त नियमों के नियम 30 में:-

(क) उप नियम (1) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:-

“(1) the quorum for general meeting shall be one third of the total number of members or 50 whichever is less if the membership is upto 500 members and one third of the total number of members or 100 whichever is less if the membership is above 500 on the date of notice of the meeting.”

(ख) उप नियम (3) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:-

“(3) If within one hour from the time appointed for the meeting, a quorum is not present, the meeting shall stand adjourned to such suitable time on the same day, as the Chairman or in his absence the Vice- Chairman and in the absence of both, the Secretary may declare in the meeting so adjourned provided that. ”

(ग) उप नियम (3), खण्ड (a) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:-

“(a) a quorum of one fifth or thirty; whichever is less; of the total number of members on the date of the meeting, so adjourned shall be necessary.”

5. नियम 36 का संशोधन.—उक्त नियमों के नियम 36 में -

(क) शीर्षक के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:-

“Voting in the General Meeting on resolution tabled and in the election to the committee”;

(ख) उप नियम (2) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:-

“(2) A member who is a defaulter for any debt or dues, directly or indirectly of the society shall be debarred from exercising the right of vote in the annual or special general meeting or in the election to the committee:

Provided that a reasonable opportunity shall be afforded to a member to clear his dues within thirty days by the Society by issuing a notice before declaring him a defaulter.”

6. नियम 38 का संशोधन.—उक्त नियमों के नियम 38 में,

(क) उप नियम (1) के खण्ड (a) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात :-

“(a) election from amongst the members of the Society ;”

(ख) उप नियम (4) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात:-

“(4) The committee shall, as soon as may be possible, elect from among its members a President, Vice President and such other officers as are specified in the bye-laws:

Provided that where the State Government:-

- (i) has subscribed to the share capital of a Cooperative Society; or
- (ii) has assisted indirectly in the formation or augmentation of the share capital of a co-operative society as provided under Section 48; or
- (iii) guaranteed the repayment of principal and payment of interest on loans and advances to a society, to the extent of fifty lacs rupees or more, the State Government may, notwithstanding anything contained in the Rules or bye laws of the Society, appoint one of the members nominated under section 35 as Chairman of the committee of such Society;

Provided further that a person so appointed as Chairman, shall hold office during the pleasure of the State Government.

7. नियम 41 का संशोधन.—उक्त नियमों के नियम 41 के,—

(क) उप नियम (1) में, —

(i) खण्ड (j) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात :-

“(j) is a defaulter of any Society/Government/Board/Corporation/Bank or any other statutory authority; or ”

(ii) खण्ड (k) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात :-

“(k) has been debarred from becoming an officer of any society under section 37 or rule 58; or”.

(b) उप नियम (2) में, —

(i) खण्ड (h) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात :-

“(h) associates himself in the appointment of a near relation as paid employee of the society;or ”

8. नियम 43 का संशोधन.—उक्त नियमों के नियम 43 में, उप नियम (1), के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“(1) The elected committee members of a society under clause (a) of sub-rule (1) of rule 38 may be removed from the office by a resolution of general meeting specially convened for the purpose.”

9. नियम 45 का संशोधन.—उक्त नियमों के नियम 45 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“45. Voting in the meeting of the Managing Committee- A resolution which is put to the vote of the committee meeting shall be decided by a majority of votes and the Chairman shall not vote in the first instance but, if the votes are equal, the Chairman shall have a casting vote:

Provided that a resolution to elect/remove the President, Vice President or any other officer shall be passed in the presence of such Government Servant as may be appointed by the Registrar for this purpose in which President and Vice President shall also cast vote.”

10. नियम 51 का संशोधन.—उक्त नियमों के नियम 51 में, —

(क) उप नियम (1) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“(1) A Government servant when deputed to the service of a Cooperative Society under section 35-B or section 36 shall be called the Managing Director or the Executive Officer of the Society as the case may be”;

(ख) उप नियम (2) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“(2) Subject to any conditions to the contrary that the State Government may in a particular case think fit to impose, the Managing Director or the Executive Officer, shall be under the general control of the managing committee of the society, and shall in the conduct of the business of the society, exercise the following powers, namely:-

(ग) उप नियम (2), के खण्ड (i) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

“(i) to have control over the staff of the society ”-

11. नियम 52 का संशोधन.—उक्त नियमों के नियम 52 के स्थान पर निम्नलिखित रखे जाएंगे, अर्थात् :—

“52. Duties of the Managing Director or the Executive Officer- Unless otherwise directed by the managing committee, the Managing Director or the Executive Officer shall perform the following duties through the employees of the society, namely:-

(i) to receive all money on behalf of the society, and to issue receipts other than receipts a likely to create fresh obligations on the part of the society in effectual discharge of the money stated to have been received therein;

- (ii) to pay all cost of management and working expenses out of the funds of the society such as salaries of the staff; travelling and other contingent expenses to be incurred in the working of the society;
- (iii) to deposit all money received on behalf of the society and securities and other effects as prescribed under section 53 of the Act;
- (iv) to maintain proper and accurate records and accounts of the society;
- (v) to call meetings of the managing committee as may be necessary for the proper conduct of business;
- (vi) to place, from time to time before such of its members, or such other authority as the managing committee may direct, statements of receipts and disbursements for examination and approval.

12. नियम 59 का संशोधन.—उक्त नियमों के नियम 59 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :-

“59. Power of the Government nominees to vote in the general meeting- Every Govt. nominee appointed under section 35 or Section 35-B shall have the right to attend all managing committee meetings and general meeting of the Society and to exercise the voting power like other members.”

13. नियम 72 का संशोधन.—उक्त नियमों के नियम 72 में, उप नियम (1) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :-

“(1) In every society with shares, the dividend may be declared upto a maximum of twenty five percent annum on the amount of paid up shares.”

14. नियम 75 का संशोधन.—उक्त नियमों के नियम 75 में, उप नियम (2) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :-

“(2) The honorarium to be paid shall be 5 percent of the net profit subject to maximum of Rs. 18,000/- per annum.”

15. नियम 114 का संशोधन.—उक्त नियमों के नियम 114 में, उप नियम (2) के पश्चात निम्नलिखित जोड़ा जाएगा, अर्थात् :-

“(3) any meeting called under sub-rule (1) shall have all the powers of general meeting called under the bye-laws of the Society and its proceeding shall be regulated by such bye-laws except that no quorum shall be necessary for such meeting.”

16. नियम 143 का संशोधन.—उक्त नियमों के नियम 143 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :-

“143. Certain proceedings under the Act and the rules to be judicial proceedings- Proceedings of inspection under section 66 and inquiry under sections 67 and 69, proceedings under section 73,74,80,93,94,95 and execution proceedings under section 87 shall be deemed to be judicial proceedings within the meaning of section 228 of the Indian Penal Code, 1860.”

17. अपेंडिक्स 'ए' का संशोधन.—उक्त नियमों से संलग्न अपेंडिक्स 'ए' में,

(I) रूल ऑफ इलेक्शन टू दि कमेटी के रूल (1) में —

(क) खण्ड (b) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात :-

“(b) ‘Observer’ means a person appointed by the Registrar for monitoring the elections of a Cooperative Society.”

(ख) खण्ड (क) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात :-

“(d) ‘Returning Officer’ means the Registrar, Additional Registrar, Joint Registrar, Deputy Registrar or Assistant Registrar (by whatever name called), Co-operative Societies and shall include the person authorized by the Registrar in this behalf by a general or special order; and”

(II) रूल ऑफ इलेक्शन टू दि कमेटी के रूल 3 के स्थान पर निम्नलिखित रखे जाएंगे, अर्थात —

“3 ‘Preparations of voters’ list-

(1) In the case of every Primary Society, a notice regarding date of publication of tentative list of voters, date fixed for hearing objections and date fixed for publication of final list of voters shall be published by the Registration Officer in the Head office and Branch Office(s) of the Society and such notice shall also be exhibited at some conspicuous places in the area of operation of the Society such as Panchayat Ghar or Mahila Mandal Bhawans etc. one month prior to date fixed for finalization of list of voters. In case, the area of operation of the Society is spread over a Tehsil or beyond; or if the number of members is more than 1500, such notice shall also be published in one Hindi daily having circulation in the area. Thereafter, tentative list of voters shall be prepared by the Manager ten days after display of notice at conspicuous places or date of publication of notice in the Newspaper, as the case may be, and the Registration Officer shall publish tentative list of voters at the Head office twenty days prior to date fixed for finalization of list of voters and also circulate among the Branch office(s) of the Society to display on the notice board. Simultaneously, The Registration Officer shall intimate such member of the society through authorized person or by post who is not eligible to vote as per Act/ Rules/Byelaws/Instructions.

(2) In the case of every Secondary/Federal/Apex Society, the Registration Officer shall send a notice to the member societies containing the information regarding last date by which name of representatives to vote on behalf of member societies are to be intimated, date of publication of tentative list of voters, dates fixed for hearing of objections, date of finalization of list of voters and such other information as the Registration Officer may deem necessary. Such notice shall also be sent to individual members. The notice shall be sent through authorized person or by post one month prior to date fixed for finalization of list of voters and shall also be displayed at the conspicuous places in the Head office and Branch office(s) of the society. Where area of operation of the society is spread over entire District or beyond, such notice shall be published in one Hindi daily having circulation in the area. Thereafter, tentative list of voters shall be prepared by the Manager ten days after the date of display of notice at the conspicuous places or date of publication of notice in the Newspaper, as the case may be, and the Registration Officer shall display tentative list of voters at the Head

Office twenty days prior to the date fixed for finalization of list of voters and also circulate among the Branch office(s) of the Society to display the same on the notice board. Simultaneously, the Registration Officer shall intimate such member of society or individual member through authorized person or by post who is not eligible to vote as per Act/ Rules/Bye-laws/Instructions.

- (3) The following procedure shall be carried out in all kind of Societies after registration of voters:-
 - (a) A tentative list of voters indicating the name of the member society, its representative and other voters so published at the Head office and branch office(s) of the society by the Registration Officer shall remain open for inspection of members for at least fifteen days and objection thereon shall be heard by him.
 - (b) Three clear days shall be given for hearing objections. The decision of the Registration Officer thereto shall be final.
 - (c) The final list of voters shall thereafter be published at the Head office and Branch office(s) of the society not later than one month prior to the date of poll by the Registration Officer.”

(III) रूलज ऑफ इलेक्शन टू दि कमेटी के रूल 4 के स्थान पर निम्नलिखित रखे जाएंगें, अर्थात्:-

- “4. Election –(I)** The Manager shall draw up a detailed programme of election in accordance with the instructions issued by the Registrar from time to time.
- (2) The Manager, shall, when so required by the Registrar for the purpose of such election, divide the area of operation of the co-operative society into such number of zones, as there are members to be elected, or into such lesser number as may be specified by the Registrar and communicate the zones so constituted to the Registrar for his prior approval:

Provided that the zones shall be constituted in such a way that members from contiguous areas are included in a particular zone and where such contiguity is not discernible, the zones shall be constituted as per Serial No. of the members in the membership register;

- (3) Notwithstanding anything contained in rule 28, the notice for the election together with the zones constituted, if any, shall be exhibited by the Returning Officer not less than thirty days before the date fixed for such election at the registered office of the society, its branch(es), office of Returning Officer and at some common place in the area of operation of the co-operative society for intimation of all the voters of the co-operative society indicating:-
 - (a) the number of members to be elected zonewise if any;
 - (b) the date, hour and place of holding the polling and declaration of election result;
 - (c) the last date of making nominations, which shall not be later than fifteen days before the date fixed for holding the said polling.
 - (d) The date on which, the place at which, and hours between which the scrutiny of nomination papers shall be made; and

- (e) The last date for the withdrawal of candidates.
- (f) the date and time when the campaigning for such election shall come to an end which shall be forty eight hours prior to date and time of closure of polling:

Provided that if the area of operation of the Society is spread over tehsil or beyond or if the number of voters is more than 1500, then such notice shall also be published in one Hindi daily having circulation in the area:

Provided further that election process shall be considered to have been started from the day of approval of election programme by the Registrar.

- (4) The nomination papers duly completed on the form prescribed by the Registrar and supplied by the co-operative society to its members on demand shall reach the head office of the society by such date and time as may be specified by the Manager in the programme drawn up in-sub-rule(1) of this rule.
- (5) A candidate shall not be entitled to file his nomination paper for more than one office of the Committee. If nomination paper, for more than one office are filed, the nomination paper filed for the first office shall only be considered, and the nomination papers for the other office/offices shall be deemed to be rejected.
- (6) The person who is to receive the nomination paper under sub-rule (4), shall on receiving the nomination paper, enter thereon the serial number of its receipt and shall endorse thereon the date on which, and the hour at which the nomination was delivered to him. Nomination papers received after the date and time fixed under clause (b) of sub-rule(3) shall not be valid. The person submitting nomination paper shall be entitled to a receipt in writing from the person who is to receive nomination papers as an acknowledgement of having it received by the later.
- (7) After the nomination papers are scrutinized by the Returning Officer, the list of the validly nominated candidates for election shall be announced, where necessary zone wise, ten days before the date of poll."

(IV) रूलज ऑफ इलेक्शन टू दि कमेटी के रूल 5 के स्थान पर निम्नलिखित रखे जाएंगें, अर्थात :-

"5. Admission during voting-(1) Admission during voting shall, if so desired by the Returning Officer, be on production of an admission card to be issued by the co-operative society, under postal certificate. The representatives of member societies, shall, in addition produce resolutions of their respective co-operative societies authorizing them to represent the co-operative society in the election.

- (2) If any difficulty arises with regard to the identification of individual members, official or representatives of the member societies, the Returning Officer may call upon one or more official of the Co-operative Department to assist him.
- (3) The manager shall make such arrangements with regard to the admission and seating of members and others invited by the society as he may consider necessary".

(V) रूलज ऑफ इलेक्शन टू दि कमेटी के रूल 6 में उपनियम (3) के स्थान पर निम्नलिखित रखे जाएंगें, अर्थात:-

“(3) The Returning Officer shall, immediately after the declaration of the result of the election, communicate the names of persons elected, to the offices of the concerned Assistant Registrar and the Deputy Registrar, Co-operative Societies and the Registrar Co-operative Societies, Himachal Pradesh. He shall also direct the Manager, to exhibit a list of names of the persons elected at some conspicuous place at the registered office of society for a minimum period of seven days after the date of the declaration of result .”

(VI) रूलज ऑफ इलेक्शन टू दि कमेटी के रूल 8 के स्थान पर निम्नलिखित रखे जाएंगें, अर्थात् :-

“**8 Exemption:-** The Registrar may by general or special order grant exemption from the provisions of the Rule-4 to any co-operative society or any class of co-operative societies.”

(VII) रूलज ऑफ इलेक्शन टू दि कमेटी के रूल 8 के पश्चात् निम्नलिखित जोड़े जाएंगें, अर्थात् :-

“**9 Observer appointment:-** The Registrar may appoint Observer to supervise and monitor the election proceedings wherever deemed necessary.

10. Appointment of Election Staff:- The Registrar may appoint election staff to assist the Returning Officer from the Department of Cooperation/Cooperative Society wherever deemed necessary. Such staff, including the Manager, shall work under the directions of the Returning Officer.

11. Code of conduct:- The following code of conduct shall apply to the Cooperative Societies with effect from the date of approval of election programme by the Registrar till declaration of results of elections.

- (1) No policy decision shall be taken by the existing/ongoing committee.
- (2) No new branch of the Bank/Society shall be opened.
- (3) No financial benefit will be announced or given to members or employees of the society.
- (4) No transfer of employees shall be ordered.
- (5) No fresh appointments shall be made.
- (6) No promotion shall be ordered.
- (7) Any other measure or action that may be prohibited by the Registrar.”

आदेश द्वारा,
हस्ताक्षरित /—
प्रधान सचिव।

[Authoritative English text of this Department notification No. Coop.A(3)-1/99-Vol-III, dated 17.02.2009 as required under clause (3) of article 348 of the Constitution of India].

COOPERATION DEPARTMENT

NOTIFICATION

Shimla-2, the 17th February, 2009

No.Coop. A(3)-1/99-Vol-III.—Whereas, the draft Himachal Pradesh Cooperative Societies Rules, 1971, were published in the Rajpatra Himachal Pradesh (extra ordinary) on 29.11.2008 vide Government notification No. Coop. A(3)-1/99-Vol-III, dated 26.11.2008 for inviting objections and

suggestions from the persons likely to be affected thereby as required under Section 109 of the Himachal Pradesh Cooperative Societies Act, 1968 (Act No 3 of 1969);

And whereas objections/suggestions received from the persons likely to be affected thereby within the specified period have been considered and rejected;

Now, therefore, in exercise of the powers conferred by Section 109 of the Himachal Pradesh Cooperative Societies Act, 1968 (Act No.3 of 1969), the Governor of Himachal Pradesh is pleased to make the following rules; namely:-

1. Short title.—These rules may be called the Himachal Pradesh Cooperative Societies (Amendment) Rules, 2008.

2. Amendment of rule 14.—For rule 14 of the Himachal Pradesh Cooperative Societies Rules, 1971 (hereinafter referred to as the said rules), the following shall be substituted, namely:-

“14. Admission of member before general meeting of a Co-operative Society- No Society shall admit new members fifteen days prior to the date of its annual general meeting or a special general meeting.”

3. Amendment of rule 25.—In rule 25 of the said rules, for sub-rule (2) the following shall be substituted, named:-

“(2) Every resolution at a general meeting shall be decided by a majority of votes of the members present as laid down in the Act, Rules or byelaws, and if the votes are equal the Chairman shall have a casting vote.”

4. Amendment of rule 30.—In rule 30 of the said rules,-

(a) for sub-rule (1), the following shall be substituted, namely:-

“(1) the quorum for general meeting shall be one third of the total number of members or 50 whichever is less if the membership is upto 500 members and one third of the total number of members or 100 whichever is less if the membership is above 500 on the date of notice of the meeting”.

(b) for sub-rule (3), the following shall be substituted, namely:-

“(3) If within one hour from the time appointed for the meeting, a quorum is not present, the meeting shall stand adjourned to such suitable time on the same day, as the Chairman or in his absence the Vice-Chairman and in the absence of both, the Secretary may declare in the meeting so adjourned provided that. ”

(c) in sub rule (3), for clause (a), the following shall be substituted, namely:-

“(a) a quorum of one fifth or thirty; whichever is less; of the total number of members on the date of the meeting, so adjourned shall be necessary.”

5. Amendment of rule 36.—In rule 36 of the said rules,-

(a) for the heading the following shall be substituted, namely:-

“Voting in the General Meeting on resolution tabled and in the election to the committee”;

(b) for the sub-rule (2), the following shall be substituted , namely:-

“(2) A member who is a defaulter for any debt or dues, directly or indirectly of the society shall be debarred from exercising the right of vote in the annual or special general meeting or in the election to the committee:

Provided that a reasonable opportunity shall be afforded to a member to clear his dues within thirty days by the Society by issuing a notice before declaring him a defaulter.”

6. Amendment of rule 38.—In rule 38 of the said rules,-

(a) in sub rule (1), for clause (a) the following shall be substituted, namely:-

“(a) election from amongst the members of the Society ;”

(b) for sub rule (4), the following shall be substituted, namely:-

“(4) The committee shall, as soon as may be possible, elect from among its members a President, Vice President and such other officers as are specified in the bye-laws:

Provided that where the State Government:-

(i) has subscribed to the share capital of a Cooperative Society; or

(ii) has assisted indirectly in the formation or augmentation of the share capital of a co-operative society as provided under Section 48; or

(iii) has guaranteed the repayment of principal and payment of interest on loans and advances to a society, to the extent of fifty lacs rupees or more, the State Government may, notwithstanding anything contained in the Rules or bye laws of the Society, appoint one of the members nominated under section 35 as Chairman of the committee of such Society:

Provided further that a person so appointed as Chairman, shall hold office during the pleasure of the State Government.”

7. Amendment of rule 41.—In rule 41 of the said rules;

(a) in sub-rule (1),

(i) for clause (j), the following shall be substituted, namely:-

“(j) is a defaulter of any Society/Government/Board/ Corporation/ Bank or any other statutory authority; or ”

(ii) for clause (k), the following shall be substituted, namely:-

“(k) has been debarred from becoming an officer of any society under section 37 or rule 58; or”.

(b) in sub-rule (2),

(i) for clause (h), the following shall be substituted, namely:-

“(h) associates himself in the appointment of a near relation as paid employee of the society; or”

8. Amendment of rule 43.—In rule 43 of the said rules, for sub-rule(1), the following shall be substituted, namely:-

“(1) The elected committee members of a society under clause (a) of sub-rule (1) of rule 38 may be removed from the office by a resolution of general meeting specially convened for the purpose.”

9. Amendment of rule 45.—For rule 45 of the said rules, the following shall be substituted, namely:-

“45. Voting in the meeting of the Managing Committee- A resolution which is put to the vote of the committee meeting shall be decided by a majority of votes and the Chairman shall not vote in the first instance but, if the votes are equal, the Chairman shall have a casting vote:

Provided that a resolution to elect/remove the President, Vice President or any other officer shall be passed in the presence of such Government Servant as may be appointed by the Registrar for this purpose in which President and Vice President shall also cast vote .”

10. Amendment of rule 51.—In rule 51 of the said rules-(a) for sub-rule(1), the following shall be substituted, namely:-

“(1) A Government servant when deputed to the service of a Cooperative Society under section 35-B or section 36 shall be called the Managing Director or the Executive Officer of the Society as the case may be”;

(b) for sub-rule (2), the following shall be substituted, namely:-

“(2) Subject to any conditions to the contrary that the State Government may in a particular case think fit to impose, the Managing Director or the Executive Officer, shall be under the general control of the managing committee of the society, and shall in the conduct of the business of the society, exercise the following powers, namely:-

(c) in sub-rule (2), for clause(i), the following shall be substituted, namely:-

“(i) to have control over the staff of the society .”

11. Amendment of rule 52.—For rule 52 of the said rules, the following shall be substituted, namely:-

“52. Duties of the Managing Director or the Executive Officer- Unless otherwise directed by the managing committee, the Managing Director or the Executive Officer shall perform the following duties through the employees of the society, namely:-

- (i) to receive all money on behalf of the society, and to issue receipts other than receipts a likely to create fresh obligations on the part of the society in effectual discharge of the money stated to have been received therein;
- (ii) to pay all cost of management and working expenses out of the funds of the society such as salaries of the staff; travelling and other contingent expenses to be incurred in the working of the society;

- (iii) to deposit all money received on behalf of the society and securities and other effects as prescribed under section 53 of the Act;
- (iv) to maintain proper and accurate records and accounts of the society;
- (v) to call meetings of the managing committee as may be necessary for the proper conduct of business;
- (vi) to place, from time to time before such of its members, or such other authority as the managing committee may direct, statements of receipts and disbursements for examination and approval.

12. Amendment of rule 59.—For rule 59 of the said rules, the following shall be substituted, namely:-

“59. Power of the Government nominees to vote in the general meeting- Every Govt. nominee appointed under section 35 or Section 35-B shall have the right to attend all managing committee meetings and general meeting of the Society and to exercise the voting power like other members.”

13. Amendment of rule 72.—In rule 72 of the said rules, for sub-rule (1), the following shall be substituted, namely:-

“(1) In every society with shares, the dividend may be declared upto a maximum of twenty five percent annum on the amount of paid up shares.”

14. Amendment of rule 75. In rule 75 of the said rules, for sub-rule (2), the following shall be substituted, namely:-

“(2) The honorarium to be paid shall be 5 percent of the net profit subject to maximum of Rs. 18,000/- per annum .”

15. Amendment of rule 114.—In rule 114, after sub-rule (2), the following shall be added, namely:-

“(3) Any meeting called under sub-rule (1) shall have all the powers of general meeting called under the bye-laws of the Society and its proceeding shall be regulated by such bye-laws except that no quorum shall be necessary for such meeting.”

16. Amendment of rule 143.—For rule 143 of the said rule, the following shall be substituted, namely:-

“143. Certain proceedings under the Act and the rules to be judicial proceedings- Proceedings of inspection under section 66 and inquiry under sections 67 and 69, proceedings under section 73,74,80,93,94,95 and execution proceedings under section 87 shall be deemed to be judicial proceedings within the meaning of section 228 of the Indian Penal Code, 1860”.

17. Amendment of Appendix A.—In appendix ‘A’ appended to the said rules,-

(I) in rule 1 of the RULES OF ELECTION TO THE COMMITTEE-

(a) for clause (b), the following shall be substituted, namely:-

“(b) ‘Observer’ means a person appointed by the Registrar for monitoring the elections of a Co-operative Society.”

(b) for clause (d), the following shall be substituted, namely:-

“(d) ‘Returning Officer’ means the Registrar, Additional Registrar, Joint Registrar, Deputy Registrar or Assistant Registrar (by whatever name called), Cooperative Societies and shall include the person authorized by the Registrar in this behalf by a general or special order; and”

(II) for rule 3 of the RULES OF ELECTION TO THE COMMITTEE the following shall be substituted, namely:-

“3 **‘Preparations of voters’ list-** (1) In the case of every Primary Society, a notice regarding date of publication of tentative list of voters, date fixed for hearing objections and date fixed for publication of final list of voters shall be published by the Registration Officer in the Head office and Branch Office(s) of the Society and such notice shall also be exhibited at some conspicuous places in the area of operation of the Society such as Panchayat Ghar or Mahila Mandal Bhawans etc. one month prior to date fixed for finalization of list of voters. In case, the area of operation of the Society is spread over a Tehsil or beyond; or if the number of members is more than 1500, such notice shall also be published in one Hindi daily having circulation in the area. Thereafter, tentative list of voters shall be prepared by the Manager ten days after display of notice at conspicuous places or date of publication of notice in the Newspaper, as the case may be, and the Registration Officer shall publish tentative list of voters at the Head Office twenty days prior to date fixed for finalization of list of voters and also circulate among the Branch office(s) of the Society to display on the notice board. Simultaneously, The Registration Officer shall intimate such member of the society through authorized person or by post who is not eligible to vote as per Act/Rules/Byelaws/Instructions.

(2) In the case of every Secondary/Federal/Apex Society, the Registration Officer shall send a notice to the member societies containing the information regarding last date by which name of representatives to vote on behalf of member societies are to be intimated, date of publication of tentative list of voters, dates fixed for hearing of objections, date of finalization of list of voters and such other information as the Registration Officer may deem necessary. Such notice shall also be sent to individual members. The notice shall be sent through authorized person or by post one month prior to date fixed for finalization of list of voters and shall also be displayed at the conspicuous places in the Head office and Branch office(s) of the society. Where area of operation of the society is spread over entire District or beyond, such notice shall be published in one Hindi daily having circulation in the area. Thereafter, tentative list of voters shall be prepared by the Manager ten days after the date of display of notice at the conspicuous places or date of publication of notice in the Newspaper, as the case may be, and the Registration Officer shall display tentative list of voters at the Head Office twenty days prior to the date fixed for finalization of list of voters and also circulate among the Branch office(s) of the Society to display the same on the notice board. Simultaneously, the Registration Officer shall intimate such member of society or individual member through authorized person or by post who is not eligible to vote as per Act/ Rules/Byelaws/Instructions.

(3) The following procedure shall be carried out in all kind of Societies after registration of voters:-

- (a) A tentative list of voters indicating the name of the member society, its representative and other voters so published at the Head office and branch office(s) of the society by the Registration Officer shall remain open for inspection of members for atleast fifteen days and objection thereon shall be heard by him.
- (b) Three clear days shall be given for hearing objections. The decision of the Registration Officer thereto shall be final.
- (c) The final list of voters shall thereafter be published at the Head office and Branch office(s) of the society not later than one month prior to the date of poll by the Registration Officer.”

(III) for rule 4 of the RULES OF ELECTION TO THE COMMITTEE, the following shall be substituted, namely:-

“4 Election –(I) The Manager shall draw up a detailed programme of election in accordance with the instructions issued by the Registrar from time to time.

- (2) The Manager, shall, when so required by the Registrar for the purpose of such election, divide the area of operation of the co-operative society into such number of zones, as there are members to be elected, or into such lesser number as may be specified by the Registrar and communicate the zones so constituted to the Registrar for his prior approval:

Provided that the zones shall be constituted in such a way that members from contiguous areas are included in a particular zone and where such contiguity is not discernible, the zones shall be constituted as per Serial No. of the members in the membership register;

- (3) Notwithstanding anything contained in rule 28, the notice for the election together with the zones constituted, if any, shall be exhibited by the Returning Officer not less than thirty days before the date fixed for such election at the registered office of the society, its branch(es), office of Returning Officer and at some common place in the area of operation of the co-operative society for intimation of all the voters of the cooperative society indicating:-
- (a) the number of members to be elected zone-wise if any;
 - (b) the date, hour and place of holding the polling and declaration of election result;
 - (c) the last date of making nominations, which shall not be later than fifteen days before the date fixed for holding the said polling.
 - (d) The date on which, the place at which, and hours between which the scrutiny of nomination papers shall be made; and
 - (e) The last date for the withdrawal of candidates.
 - (f) the date and time when the campaigning for such election shall come to an end which shall be forty eight hours prior to date and time of closure of polling:

Provided that if the area of operation of the Society is spread over tehsil or beyond or if the number of voters is more than 1500, then such notice shall also be published in one Hindi daily having circulation in the area:

Provided further that election process shall be considered to have been started from the day of approval of election programme by the Registrar.

- (4) The nomination papers duly completed on the form prescribed by the Registrar and supplied by the cooperative society to its members on demand shall reach the head office of the society by such date and time as may be specified by the Manager in the programme drawn up in-subrule(1) of this rule.
- (5) A candidate shall not be entitled to file his nomination paper for more than one office of the Committee. If nomination paper, for more than one office are filed, the nomination paper filed for the first office shall only be considered, and the nomination papers for the other office/offices shall be deemed to be rejected.
- (6) The person who is to receive the nomination paper under sub-rule(4), shall on receiving the nomination paper, enter thereon the serial number of its receipt and shall endorse thereon the date on which, and the hour at which the nomination was delivered to him. Nomination papers received after the date and time fixed under clause (b) of sub rule(3) shall not be valid. The person submitting nomination paper shall be entitled to a receipt in writing from the person who is to receive nomination papers as an acknowledgement of having it received by the later.
- (7) After the nomination papers are scrutinized by the Returning Officer, the list of the validly nominated candidates for election shall be announced, where necessary zone wise, ten days before the date of poll.”

(IV) for rule 5 of the RULES OF ELECTION TO THE COMMITTEE, the following shall be substituted, namely :-

“5 Admission during voting-(1) Admission during voting shall, if so desired by the Returning Officer, be on production of an admission card to be issued by the co-operative society, under postal certificate. The representatives of member societies, shall, in addition produce resolutions of their respective co-operative societies authorizing them to represent the co-operative society in the election.

(2) If any difficulty arises with regard to the identification of individual members, official or representatives of the member societies, the Returning Officer may call upon one or more official of the Co-operative Department to assist him.

(3) The manager shall make such arrangements with regard to the admission and seating of members and others invited by the society as he may consider necessary.

(V) in rule 6 of the RULES OF ELECTION TO THE COMMITTEE, for sub rule (3), the following shall be substituted, namely:-

“(3) The Returning Officer shall, immediately after the declaration of the result of the election, communicate the names of persons elected, to the offices of the concerned Assistant Registrar and the Deputy Registrar, Co-operative Societies and the Registrar Co-operative Societies, Himachal Pradesh. He shall also direct the Manager, to exhibit a list of names of the persons elected at some conspicuous place at the registered office of society for a minimum period of seven days after the date of the declaration of result .”

(VI) for rule 8 of the RULES OF ELECTION TO THE COMMITTEE, the following shall be substituted, namely:-

“8 Exemption:- The Registrar may by general or special order grant exemption from the provisions of the Rule-4 to any co-operative society or any class of cooperative societies.”

(VII) After rule 8 of the RULES OF ELECTION TO THE COMMITTEE, the following RULES shall be added, namely:-

“9 Observer appointment:- The Registrar may appoint Observer to supervise and monitor the election proceedings wherever deemed necessary.

10. Appointment of Election Staff:- The Registrar may appoint election staff to assist the Returning Officer from the Department of Cooperation/Cooperative Society wherever deemed necessary. Such staff, including the Manager, shall work under the directions of the Returning Officer.

11. Code of conduct:- The following code of conduct shall apply to the Cooperative Societies with effect from the date of approval of election programme by the Registrar till declaration of results of elections.

(1) No policy decision shall be taken by the existing/ongoing committee.

(2) No new branch of the Bank/Society shall be opened.

(3) No financial benefit will be announced or given to members or employees of the society.

(4) No transfer of employees shall be ordered.

(5) No fresh appointments shall be made.

(6) No promotion shall be ordered.

(7) Any other measure or action that may be prohibited by the Registrar.”

By order,

Sd/-

Pr. Secretary.